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# L A W S

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1857,

IN THE

EIGHTY-FIRST YEAR OF INDEPENDENCE.

---

WITH AN APPENDIX.

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HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

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BY AUTHORITY.

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# L A W S

OF THE

## COMMONWEALTH OF PENNSYLVANIA.

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No. 1.

### A N A C T

Legitimizing Emlen Physick.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Emlen Physick, born June fifth, Anno Domini one thousand eight hundred and fifty-five, child of Emlen Physick of the city of Philadelphia, shall have and enjoy all the rights and privileges, benefits and advantages of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if he had been born in lawful wedlock.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



# LAWS OF PENNSYLVANIA,

No. 2.

## AN ACT

Providing for the pay of the retiring officers of the present Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the officers of the last legislature who have returned at the present session, and have not been re-elected as officers, be paid mileage, and also per diem compensation for the time they have been retained and been in the actual service of either house, under a resolution thereof, the accounts therefor to be settled in the usual manner: *Provided,* That hereafter no officer shall be paid for returning at the commencement of the session, except such as are now required to return by law.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 3.

## A SUPPLEMENT

To an act relating to Certain Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement as prohibits the election of a non-resident of this state to the office of president of any railroad company incorporated by this commonwealth, be and the same is hereby repealed, so far as relates to the Pittsburg and Connellsville railroad company; and the official acts of the president and board of directors of said company, previous to the passage of this act, shall not be impaired or

affected by reason of the said president not being a citizen resident within this state.

J. M. B. PETRIKIN,

*Speaker of the House of Representatives pro tem.*

FRANCIS JORDAN,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 4.

## AN ACT

Relative to roads in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, relative to roads in the county of Washington, approved the twenty-second day of April, eighteen hundred and fifty-six, is hereby repealed; and the ninth, tenth, eleventh and twelfth sections of the act of the fifteenth of April, eighteen hundred and fifty-three, are hereby declared to be revived so far as the same relates to Washington county: *Provided however,* That all unfinished proceedings in the court of quarter sessions of said county, relative to roads and road damages, commenced under the act hereby repealed, shall be completed according to the provisions of the said act, notwithstanding the repeal of the same: *And provided further,* That all claims for road damages which were suspended by the passage of the act of twenty-second April, eighteen hundred and fifty-six, may be prosecuted according to the provisions of the laws now revived, within one year from the date of the passage of this act.

SECTION 2. That hereafter no costs arising upon any road or bridge view within the said county, shall be paid out of the county stock, unless such road be laid out and confirmed, or such bridge be approved by the court and grand jury, agreeably to the prayer of the petitioner; but in all cases where a road is not so laid out and confirmed, or a bridge allowed, the costs of the view shall be paid by the petitioners.

J. M. B. PETRIKIN,

*Speaker of the House of Representatives pro tem.*

FRANCIS JORDAN,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-third day of January, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

## LAWS OF PENNSYLVANIA,

No. 5.

## AN ACT

To change the place of holding elections in the township of Allen, in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of Allen township, in the county of Washington, shall hereafter hold their general, special and township elections at the house of Samuel A. Chester, in said township.*

J. M. B. PETRIKIN,

*Speaker of the House of Representatives pro tem.*

FRANCIS JORDAN,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-third day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 6.

## SUPPLEMENT

To the act, entitled "An Act to incorporate the Atlantic Mutual Insurance Company of Philadelphia," passed the fourth day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Atlantic mutual insurance company of Philadelphia be and they are hereby authorized to increase the number of directors of the said company to twenty.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

JOHN C. FLENNIKEN,

*Speaker of the Senate pro tem.*

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 7.

## AN ACT

Giving the consent of the Commonwealth of Pennsylvania, for the United States of America to purchase a lot in the city of Philadelphia, on which to erect Post Office Buildings.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the consent of the commonwealth of Pennsylvania is hereby given to the purchase, by the United States of America, from the president, and directors, and company of the Bank of Pennsylvania, of the lot of ground and banking house thereon erected, with the appurtenances, situate on the west side of Second street, extending westward to Dock street, bounded on the north by Lodge street, and on the south by Gold street, in the city of Philadelphia, for the purpose of a post office: *Provided, That* all process, civil and criminal, of the commonwealth, shall extend into and be as effectual in and over said premises as if this act had not been passed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

JOHN C. FLENNIKEN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 8.

## AN ACT

To change the name of the Board of Missions of the General Assembly of the Presbyterian Church in the United States of America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passing of this act, the corporate title, style and name of the Trustees of the Board of Missions of the General Assembly of the Presbyterian church in the United States of America, shall be and hereby is changed to "The Trustees of the Board of Domestic Missions of the General

Assembly of the Presbyterian church in the United States of America:" *Provided*, That nothing herein contained shall divest, diminish, or in any way impair or affect the title or right of said corporation to any of its real or personal estate or effects, or its right to receive, demand and recover any devise, bequest, legacy or other gift heretofore made, or which shall hereafter be made to the said corporation, under its former name, for the uses and purposes set forth in its charter, in the same manner as if this act had not been passed.

J. M. B. PETRIKIN,  
*Speaker of the House of Representatives pro tem.*

FRANCIS JORDAN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 9.

SUPPLEMENT

To an act, entitled "An Act relating to the estates of decedents and minors in the county of Lawrence," passed and approved March twenty-first, eighteen hundred and fifty-six.

Certain jurisdiction given to the orphans' court of Lawrence co.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where proceedings have been had in the register's office, or in the orphans' court of Lawrence county, previous to the passage of the act to which this is a supplement, upon the estate of any decedent, in which the letters testamentary, or of administration were issued, or upon the estate of any minor, in which the appointment of guardian was made in either of the counties of Beaver or Mercer, the register of wills, and the orphans' court of Lawrence county, shall, from and after the passage of this act, have jurisdiction in all and every of said matters as fully and effectually as the registers of wills, and orphans' courts of Beaver and Mercer counties, respectively, would have had if the said proceedings had occurred therein; and the said proceedings, or any of them, shall not abate or be discharged for want of jurisdiction of the said register of wills, or orphans' court of Lawrence county; but the said register of wills, and orphans' court of Lawrence county, shall proceed in and upon all and every of such matters to completion, as though the same had been commenced and proceeded on according to and under the act to which this act is supplementary.

SECTION 2. That the said orphans' court of Lawrence county, shall have power to order and require that the original papers, and the certificates directed to be obtained under the first and second sections of the act to which this act is a supplement, shall be obtained and filed in like manner during the pendency or progress of any matter or proceeding under this act; and the register of wills, and clerks of the orphans' courts of Beaver and Mercer counties respectively, are hereby required to comply with all and every such order of the orphans' court of Lawrence county.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives*

JOHN C. FLENNIKEN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

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No. 10.

## AN ACT

In regard to the place of holding elections in the townships of Osceola and Nelson, in the county of Tioga, and the appointment of officers to hold the next elections.

WHEREAS, The townships of Osceola and Nelson have been recently formed out of the township of Elkland, in the county of Tioga, and no court of quarter sessions intervenes prior to holding the township election, so that a place for holding said elections cannot be fixed, or election officers appointed under the existing laws; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the general and township elections in and for the township of Osceola, in said county of Tioga, shall be held at the hotel of Morgan Seeley, in said township, and that Enos Slosson be and act as judge of the next elections, and that Horace B. Silley and John Tubbs be and act as inspectors of said elections. Osceola township

SECTION 2. That hereafter the general and township elections of the township of Nelson, in Tioga county, be held at the hotel of Artemus Losey, in said township, and that D. W. Walker be and act as judge, and S. Dailey and Enos Blackwell, be and they Nelson township.



## LAWS OF PENNSYLVANIA,

are hereby appointed to act as inspectors of the next elections of said township.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

JOHN C. FLENNIKEN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 11.

## AN ACT

Authorizing the Directors of the Poor and House of Employment for the county of Erie to purchase fifty-acres of land.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the directors of the poor and house of employment of the county of Erie be and they are hereby authorized and empowered to purchase and hold such real estate, not exceeding fifty acres, as they shall deem necessary and advantageous for the house of employment of said county, and it shall be lawful for said directors of the poor and house of employment, to take conveyances therefor in the name of said corporation; and they are also authorized and empowered to procure on loan, on the credit of said corporation, such sum or sums of money as may be required to pay the purchase money of said land.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

JOHN C. FLENNIKEN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 12.

## SUPPLEMENT

To the act of the thirteenth of May, one thousand eight hundred and fifty-six, entitled "An Act authorizing the citizens of the borough of Mercer to erect a Union School House in said borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the authority given to the commissioners in the fourth section of the act to which this is a supplement, of laying taxes in aid of the other funds, for the erection of the Union school house, shall continue to be exercised annually, till the cost of building said house and purchasing the site is paid but no longer.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 13.

## AN ACT

Relative to opening streets, to restrict the erection of wooden buildings, and to facilitate the collection of taxes in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter, upon the final confirmation by the court of general quarter sessions of the peace of Lancaster county of a report of viewers, reviewers or re-reviewers, under an order of the said court, laying out any street, lane or alley within the limits of the city of Lancaster, in said county, no order shall issue from the said court for the opening of such street, lane or alley, but it shall be the duty of the clerk of the said court to certify, under his official seal, the fact of such confirmation, with the width decreed in the premises, to the select and common councils of the said city, for which service he shall be entitled to the like fees, and from the same source, heretofore allowed for orders to*

Mode of opening  
streets, &c., in  
Lancaster city

open from the court. And whenever afterwards the said councils shall deem expedient, it shall be lawful for them, by joint resolution, to direct their street commissioner to open the premises described in such certificate, in the same manner and form as in similar cases he was heretofore required to do by the said court, and according to the width which the said court may decree.

Repeal.

SECTION 2. That so much of any law heretofore passed, as vests in the court of general quarter sessions of the peace of Lancaster county, the right to direct the opening of any street, lane or alley laid out in the city of Lancaster, is hereby repealed.

Erection, &c., of wooden buildings regulated.

SECTION 3. That it shall be lawful for the select and common councils of said city, to prohibit, by ordinance passed in the usual manner, the erection, construction or enlargement, or the removal from one place to another of wooden buildings, for such purposes as shall be designated in such ordinance, within such limits as shall be therein specified, and from time to time, so to alter and extend such limits as to them shall seem expedient and necessary; and also to inflict such fine for the erection, construction, enlargement or removal of said wooden buildings, and for defraying the expense of abating the same, as to them shall appear proper and effectual.

Interest on city loans.

SECTION 4. That said council shall, previous to the annual levy of city taxes next after the passage of this act, ascertain the whole amount of money that shall be needed during the then ensuing year, for the payment of interest on the city loans of all kinds, and shall then and annually thereafter assess a separate tax on all property now taxable for city purposes, sufficient, after all deductions, to pay the whole of said interest, which tax shall be set forth in a separate column in the duplicate of city tax, and collected with the other tax in said duplicate, and when collected shall be kept separate by the city treasurer, and applied by him to no other purpose, except the payment of the interest on the loans of said city: *Provided*, That nothing herein contained shall authorize the levy of a tax beyond the amount now authorized by law.

Receiver of taxes to be elected.

SECTION 5. That said councils shall in the usual manner, on the second Tuesday in February, annually, elect a receiver of city taxes, who shall give such bond, with two or more sureties, and receive such compensation for his services as said councils shall direct: *Provided*, That the first election of receiver of taxes, under this section, may take place on any day after the second Tuesday in February that said councils may direct, for the remainder of the year, and till the next ensuing second Tuesday in February, and that on said second Tuesday in February next, after the passage of this act, a city treasurer may be elected in the usual manner, with power to act as receiver of taxes under this act till the regular receiver of taxes shall have been duly elected, and have given bond.

City treasurer.

City taxes, how paid.

SECTION 6. That from and after the election of receiver of taxes (or of the city treasurer with the power of receiver) under this act, all taxes of said city shall be paid to said receiver, at his office, and said councils shall have power to make and publish such abatement or reduction on said taxes, in favor of such persons as shall pay the same in full on or before such day an-

nually, as said councils shall, from time to time, determine by ordinance. And said councils shall also have power to add to the taxes of each individual who shall fail to pay on or before said day, any amount not exceeding ten per cent. of such individual's tax, as shall seem expedient, and the same annually to alter; and all delinquent taxes shall be collected in the same manner in which debts of like amount are now recoverable, with costs of suit: *Provided*, That nothing in this act shall impair the lien of city taxes on real estate under existing laws.

SECTION 7. That all laws, and parts of laws, altered, amended or supplied by, or inconsistent with this act, are hereby repealed, so far as relate to said city of Lancaster. Repeal.

SECTION 8. That the act approved the twenty-first day of April, A. D. one thousand eight hundred and fifty-six, entitled "An Act supplementary to an act to incorporate the city of Lancaster, passed March twenty, one thousand eight hundred and eighteen," be and the same is hereby repealed. Repeal.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 14.

### A SUPPLEMENT

To an act to incorporate the New Castle and Darlington Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the corporate name, style and title of the New Castle and Darlington railroad company, shall hereafter be known as the Pittsburgh, New Castle and Cleveland railroad company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 15.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Nescopeck Mutual Fire Insurance Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Walker, John Gruver, Philip Meixell, Isaac Courtright, Benjamin Evans, and John Fenstimaker, are hereby added as commissioners to those named in the act to which this is a supplement; that the said commissioners are hereby empowered to organize immediately and proceed to business as effectually as though they had been elected directors under the general insurance law, and they shall continue as directors till their places are supplied by an election, and that all persons may vote at the first election for directors who shall have made application for insurance.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 16.

## AN ACT

To fix the time for holding Courts in Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the regular terms of the several courts in the county of Wyoming shall commence on the third Monday of the months of January, April, August and November.

SECTION 2. That the judges of said courts shall have the power to order two weeks court if the business of said court shall require it: *Provided,* That this act shall not interfere with



the regular term of said courts to be held in February, one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 17.

AN ACT

Relative to the Philadelphia and Sunbury Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Philadelphia and Sunbury railroad company, be and they are hereby authorized to borrow such sums of money, in addition to any sum heretofore authorized to be borrowed by the said company, not exceeding seven hundred thousand dollars, at any rate of interest not exceeding twelve per centum per annum, and to make the principle of the said loan convertible into the stock of the company, on such terms as may be agreed upon; to make the principal and interest of the said loans payable at such time or times as may be deemed advisable, and for the security thereof, to execute the bonds, "and other evidences of indebtedness" of the company, which may be disposed of in such manner and on such terms as may be deemed most expedient; and to further secure the payment of the said loans and bonds, they are authorized to execute a mortgage or deed of trust of the railroad, locomotives, cars and all other property of the company, and of its corporate rights, privileges and franchises, and the said railroad, property and franchises, in the event of a sale under the said mortgage or deed of trust, shall pass to the purchaser or purchasers free from any incumbrance, lien of liability, subsequent to the said mortgage or deed of trust and be vested in him or them. And the said bonds and other evidences of indebtedness may be sold for less than their par value, and such sale shall not be usurious or contrary to any law prohibiting the taking of interest at the rate of more than six per cent. per annum: *Provided,* That all debts against the said company for ties, wood or materials furnished or damages ascertained or labor performed along the line of the said road, or any liabilities heretofore incurred by the said company in the purchase of locomotives, shall be paid



## LAWS OF PENNSYLVANIA,

in full, or satisfactorily secured to the creditor up to the creation of the first mortgage under this act, otherwise the said mortgage shall have no validity as against the said debt or claim.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

JOHN C. FLENNIKEN,  
*Speaker of the Senate pro tem.*

APPROVED—The third day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 18.

## A SUPPLEMENT

To an act incorporating the University of Free Medicine and Popular Knowledge.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the number of trustees in the University of Free Medicine and Popular Knowledge shall hereafter be nine instead of five, and they shall be annually elected at such times as may be provided by the by-laws.*

SECTION 2. That the directors, at the stated meeting of the board in the month of March, annually, shall elect a president, secretary and treasurer of the institution, each of whom shall give such security as may be provided for in the by-laws.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 19.

## AN ACT

To provide for the payment of the expenses of publication of a resolution proposing amendments to the Constitution of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay out of any money in the treasury not otherwise appropriated, the expense incurred for the publication of a resolution proposing amendments to the constitution of the commonwealth submitted at the last session of the legislature, and published under the direction of the secretary of the commonwealth, in obedience to the requirements of the tenth article of the constitution: *Provided,* That the secretary of the commonwealth shall first certify that the publications for which bills are rendered, were made under his direction and with his consent; and that all bills so certified shall be settled by the accounting officers of the commonwealth in the usual manner.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 20.

## AN ACT

To enable the city of Philadelphia to sell two certain small Ground Rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the city of Philadelphia to sell and convey, or to release and extinguish, either at public or private sale, at not less than the par value thereof, two certain small yearly ground rents, now vested in the said city in trust, to wit: one of them being a yearly ground rent of one pound ten shillings, payable out of a lot of ground situate on the north side of Arch street, and east side of Fifteenth street, in the said city, containing

about one hundred and ninety-eight feet on Arch street, and extending on the east side of Fifteenth street to Cherry street; and the other of them being a yearly ground rent of two pounds fifteen shillings, payable out of a lot of ground on the north side of Carter's alley, in the rear of number seventy-two and seventy-four, South Second street, in said city; containing in front about thirty feet, and in depth about forty feet, more or less: *Provided*, That the proceeds of said sale or extinguishment shall be invested and applied to the same uses, intents and purposes for which the said ground rents are now held; the purchasers of the said rents, however, not to be liable for the application or misapplication of said funds.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 21.

A N A C T

For the relief of the sureties of William M'Candless, late Prothonotary of the Supreme Court for the Western district of Pennsylvania.

WHEREAS, Doubts arise as to the extent of liability to the commonwealth of Wilson M'Candless and William B. M'Clure, under the second bond executed by them as the sureties of William M'Candless, lately the prothonotary of the supreme court of the Western district of Pennsylvania; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the payment into the treasury of the commonwealth of one half the sum of two thousand nine hundred and sixty dollars within six months after the adjournment of the present legislature, together with court charges or costs attendant on any suit or suits which may have been instituted in the premises against the surety or sureties of William M'Candless, late prothonotary of the supreme court for the Western district, and the other moiety of the sum above recited within one year after the said adjournment, the state treasurer be and he is hereby authorized and directed to satisfy the judgment or judgments confessed by his surety or sureties to the commonwealth of Pennsylvania for the penalty or penalties on said bond or bonds: *Provided how-*

ever, That the commonwealth does not hereby release the defaulting officer from liability under existing laws.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 22.

## AN ACT

To establish a ferry over the Ohio river at the borough of Sewickly, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Lashel, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the north and south sides of the Ohio river, at and near the borough of Sewickly, in Sewickly township, Allegheny county, on the north side, and at Lashel's landing, in Moon township, on the south side, and to use the river between said landings as a public ferry: *Provided,* That said landings shall not obstruct the ascending or descending navigation. Ferry authorized

SECTION 2. That the said Jacob Lashel, his heirs and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across the river, with all reasonable diligence and care. To be kept in good order.

SECTION 3. That the said Jacob Lashel, his heirs and assigns, as a remuneration for keeping up and in good repair the said ferry, shall receive such tolls for carrying persons, teams and carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Allegheny county. Tolls.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire or boats, or other property, or shall take from its mooring any craft or boat belonging to said ferry, he, she or they so Penalty for injuries to works.

offending, shall each of them forfeit and pay to the said Jacob Lashel, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Jacob Lashel, his heirs and assigns, to be recovered as debts of a like amount are recoverable.

Prohibitions.

SECTION 5. That all other persons are hereby prohibited from using the said river, for the purpose of a ferry, five hundred yards above, and five hundred yards below, the said ferry; and any person or persons violating the provisions of this act, shall forfeit and pay to the said Jacob Lashel, his heirs and assigns, the sum of one dollar for every traveler, team, head of cattle, horse or carriage carried over the river within the said above named bounds: *Provided*, That nothing in this act contained shall be construed to prevent persons owning the shore on both sides of the river within said limits, from transporting persons and property free of charge: *Provided*, That the privileges hereby granted shall continue no longer than fifteen years; and that the said ferry, and the owners thereof, shall be subject to all general laws of this commonwealth regulating ferries.

Limitation

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 23.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act incorporating the Luzerne Mutual Insurance Company," approved March the twenty-seventh, one thousand eight hundred and forty..

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of any act or acts of assembly heretofore passed relating to the Luzerne mutual insurance company, as requires the directors of said company to reside in the county of Luzerne, be and is hereby repealed, and the directors to be elected by the stockholders of said company, shall be stockholders in the same and citizens of this commonwealth. Said directors shall elect*



a president, vice president and secretary, which shall constitute an organization.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 24.

## AN ACT

Supplementary to the act authorizing the incorporation of the borough of Waverly, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters, citizens of said borough, are hereby authorized to elect one justice of the peace, and one constable in addition to the officers originally provided for in the incorporation of said borough, which said officers, when elected and duly qualified in said offices, shall have the same right and authority as other justices and constables in said Luzerne county: *Provided,* That the citizens of said borough shall remain for all purposes citizens of Abington township, as is provided in the original act: *And provided,* That if the supervisors of said township, and the commissioners of said borough, cannot agree as to the amount of taxes which shall be expended in and for the use of said borough, for any one year, the same shall not exceed the whole, nor be less than two-thirds of the amount levied and collected in said borough for that year.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 25.

## A FURTHER SUPPLEMENT

To the act to incorporate the Huntingdon and Broadtop Mountain Railroad and Coal Company, approved May the sixth, eighteen hundred and fifty-two.

Former act construed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the contracts made by the Huntingdon and Broadtop Mountain railroad and coal company, for work upon the branches of their road upon Six Mile run, and Sandy run, in Bedford county, is hereby construed to be an extension of their railroad within the intention and meaning of the first section of the supplement to the charter of said company, approved April the fifth, eighteen hundred and fifty-five, and to authorize the issue of bonds, and the securing of the same, as provided for in said section, and by a pledge of such part or parts of the revenues of said company as the directors thereof may deem expedient for that purpose.

Annual meetings

SECTION 2. That hereafter the annual meeting of the stockholders of said company, for the election of president and directors, shall be on the second Tuesday of January in each year.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 26.

## AN ACT

Supplementary to the act to incorporate the Morrison's Cove and Woodcock Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

whenever the Morrison's Cove and Woodcock Valley turnpike road company shall have finished two and one-half miles or more of road, the president thereof may give notice to the governor, who shall appoint forthwith three skillful, judicious and disinterested persons, to view and examine the same, and report in like manner as is provided in the twelfth section of the act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," and that all other proceedings be had under said report, in like manner and subject to the provisions, conditions and restrictions contained in the twelfth and thirteenth sections of said act, when not inconsistent with this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 27.

## A N A C T

To authorize the Willow Grove and Germantown Plank Road Company to borrow money, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president and managers of the Willow Grove and Germantown plank road company, be and they are hereby authorized and empowered to borrow any sum of money, not exceeding six thousand dollars, to pay the debt of that portion of said road now completed, or to be expended in the completion of the remaining portion of said road, or for either or both of said purposes as the president and managers of said company shall determine, and to issue bonds, and mortgage said road and its appurtenances for the payment of the same: *Provided, That* no bond shall be issued for a less sum than one hundred dollars.

Authorized to  
borrow money.

SECTION 2. The said company shall have the right to make <sup>Road.</sup> that portion of their road, yet to be constructed, a turnpike road if the president and managers shall so determine: *Provided, That* the consent of the stockholders holding a majority of the stock in said company, shall first be obtained by an election to be held for that purpose, after twenty days' public notice at the

## LAWS OF PENNSYLVANIA,

usual time and place of holding the annual elections of said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 28.

## AN ACT

To change the place of holding the general, special and township elections for the township of Benner, in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the general, special and township elections for the township of Benner, in the county of Centre, shall be held at the court house in the borough of Bellefonte, in said county.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

JNO. C. FLENNIKEN,  
*Speaker of the Senate pro. tem.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 29.

## AN ACT

To change the place of holding elections in the township of Allegheny, in Potter county.

WHEREAS, The election house in the township of Allegheny, in the county of Potter, has been destroyed by fire, and the en-

suingspring election is so near at hand, that a new election house cannot be provided under existing laws; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of Allegheny township, in the county of Potter, shall hereafter hold their special and township elections at the house of Samuel M. Mills, in said township.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

JON. C. FLENNIKEN,

*Speaker of the Senate pro tem.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 30.

## AN ACT

Regulating the place of holding elections in Hopewell township, Beaver county.

WHEREAS, The place of holding the general, special and township elections in the township of Hopewell, in the county of Beaver, has become vacated, and there will be no court of quarter session, in said county, until after the usual time for holding the spring elections, in said township, has passed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the place of holding the general and township elections for the township of Hopewell, in the county of Beaver, be changed from the house of George K. Shannon, to the school house in the village of Scottsville, in said township.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 31.

## A N A C T

To change the place of holding elections in the township of Crawford, Clinton county.

WHEREAS, The person at whose house the election was formerly held, in the township of Crawford, Clinton county, has notified the judges and inspectors of said township, that he will, under no circumstances, permit the holding of any more elections at or in his house; and said notice having been given at too late a period to bring the matter before the court, and no court convening between the time of the notice and the spring election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of Crawford township, Clinton county, shall hereafter hold their general, special and township elections at the house of William Winchester, in said township.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 32.

## A N A C T

Fixing the place of holding the elections in the townships of Scrubgrass and Irwin, in the county of Venango.

WHEREAS, The building in which the elections for the township of Scrubgrass, in the county of Venango, have heretofore been held, has become so dilapidated as to be no longer tenable, thereby leaving the citizens of said township no place for holding their elections, the first of which occurs in March next: *And whereas*, The township of Irwin, in the said county, has been so divided by the creation of the new township of Clinton,



in said county, that the place of holding the elections of said township is so much at one extremity of said township as to prevent the attendance of the electors of said township: *And whereas,* The elections of said township are held in the month of March next, while there will be no court in said county until in April next; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the township of Scrubgrass, in the county of Venango, shall hold their general, special and township elections at the house of John Smith, in the village of Lisbon, in said township; and that the general, special and township elections for the township of Irwin, in said county, shall be held at the house of John J. Johnson, in the village of Mechanicsville, in said township.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

JNO. C. FLENNIKEN,

*Speaker of the Senate pro. tem.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and thirty-seven.

JAS. POLLOCK.

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### No. 33.

## A SUPPLEMENT

To an act incorporating the Richland Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the commencement of the Richland turnpike or plank road be extended for the space of one year from the eleventh day of February, Anno Domini one thousand eight hundred and fifty-seven, and that the organization of the said company, under their charter, be continued in full force, with all the powers and privileges contained in the original act of incorporation; and that the stockholders of the said company be authorized to elect, on the ninth day of March next, a president, managers and treasurer, and other officers, and to do all other acts and things authorized by the said act of incorporation, as fully and effectually as if the said act were re-enacted.

SECTION 2. For all fractional parts of tolls not equal to any denomination of coin in circulation, the said company may take



the next highest denomination, and for fractional parts of a mile the company to have the benefit of the fraction.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

### No. 34.

### AN ACT

Authorizing the payment of Certain Coupons represented to have been lost.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay to R. Raphall and Sons, of London, or to their agent, Louis A. Von Hoffman, the sum of eleven hundred dollars, that being the amount of forty-four coupons, of twenty-five dollars each, attached to bonds of the commonwealth; forty-two of which were numbered as follow, to wit: Five hundred and eighty-nine, five hundred and ninety, thirteen hundred and forty-four, thirty-five hundred and one, thirty-five hundred and two, thirty-five hundred and three, thirty-five hundred and four, thirty-five hundred and five, thirty-eight hundred and eighty-three, thirty-eight hundred and eighty-four, thirty-nine hundred and ninety-nine, forty-two hundred and ninety-eight, forty-two hundred and ninety-nine, forty-four hundred and thirty-eight, forty-four hundred and thirty-nine, forty-four hundred and forty, forty-four hundred and forty-one, forty-four hundred and forty-three, forty-five hundred and sixty, forty-five hundred and sixty-one, forty-five hundred and sixty-nine, forty-five hundred and seventy, forty-five hundred and seventy-one, forty-five hundred and seventy-two, forty-seven hundred and thirty-six, forty-seven hundred and thirty-seven, forty-seven hundred and thirty-eight, forty-seven hundred and thirty-nine, forty-seven hundred and forty, forty-seven hundred and forty-one, forty-seven hundred and forty-two, forty-seven hundred and forty-three, forty-seven hundred and forty-four, fifty hundred and thirty, fifty hundred and thirty-one, fifty hundred and thirty-two, fifty hundred and thirty-three, fifty hundred and thirty-four, fifty hundred and thirty-five, fifty-one hundred and one, fifty-one hundred and two, fifty-one hundred and four, and the numbers of the remaining two of which bonds are unknown: which coupons were, in the*

month of January, one thousand eight hundred fifty-six, forwarded in the mails of the steamer Pacific, and are presumed to have been lost in the said steamer on her passage from Liverpool to New York, in that year, the same having been inclosed and directed by the said R. Raphall and Sons to L. Von Hoffman and company, at New York: *Provided*, That before such payment the said R. Raphall and Sons, or the said Louis Von Hoffman, shall give a bond to the commonwealth, with one or more sureties resident in the state, to be approved by the auditor general, and filed in his office, for the re-payment of such sum in the event of the payment of said coupons being demanded and received from the commonwealth, or its agents, by the holder or holders thereof.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 35.

## A N A C T

For holding elections in Chest township, Cambria county, at the house of Alexander Shellenberger.

WHEREAS, The school house in Chest township, Cambria county, at which the several elections of said township were held, has lately been destroyed by fire, and the ensuing spring election is so near at hand, that a house for holding said election cannot be designated under the existing laws; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in case the said school house shall not be re-built and in suitable condition to hold the ensuing spring election in, then the said election shall be held at the house of Alexander Shellenberger, in said township: *Provide*!, That as soon as said school house shall be re-built the elections shall be held there as heretofore, unless the place for holding the same shall be changed according to the existing laws.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 36.

## A SUPPLEMENT

To an act to authorize the Old Columbia Public Ground Company of the borough of Columbia to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the managers or trustees of the Old Columbia public ground company of the borough of Columbia be and they are hereby authorized to borrow a sum of money not exceeding ten thousand dollars, and that the sixteenth section of the act of April twentieth, Anno Domini one thousand eight hundred and fifty-three, so far as it conflicts with this act, be and the same is hereby repealed.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 37.

## AN ACT

To authorize the Lancaster and Marietta Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Lancaster and Marietta turnpike road company shall have full power and authority to borrow any sum of money or any sums of money not exceeding five thousand dollars, which may be necessary to discharge the debts incurred in the construction thereof, and enjoy the full benefit of the privilege conferred upon them by the act of assembly authorizing their incorporation; any such loan to be on such terms and conditions as the said corporation may deem fit, and at any rate of interest not to exceed six per centum per annum, with power also to pledge and mortgage as security for such loan or loans their said road, and all and any of their pro-*

perty real and personal, together with all their rights, powers and privileges and franchises. Any sale or sales under any judicial process to enforce any such pledge or mortgage, shall pass to and vest in the vendee or vendees whatever property, rights, powers and privileges and franchises may have been pledged or mortgaged under any such pledge or mortgage as last aforesaid: *Provided*, That no bond shall be issued by the company for a less amount than one hundred dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

### No. 38.

## A FURTHER SUPPLEMENT

To the act, entitled “An Act to incorporate the West Ward Water Company of Easton.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the number of managers of the West Ward water company of Easton, shall consist of nine stockholders to be elected in the manner directed by the act to which this is a supplement, any five of whom shall constitute a quorum. Number of managers.

SECTION 2. It shall and may be lawful for the president and managers of the West Ward water company to sell, dispose of and issue any amount of stock in said company, in shares of twenty-five dollars each, not exceeding three thousand shares, which shall be denominated preferred stock, and on which the holders thereof shall be entitled to receive seven per centum per annum from the profits of the water works, before the other stockholders shall be entitled to receive any dividends upon their stock, and the stock of the said company shall not be taxable for borough purposes. Preferred stock authorized.

SECTION 3. That the said West Ward water company shall be authorized to charge for each hydrant, or the use of a hydrant, according to the amount of water used, any sum not less than one dollar nor more than twenty dollars, anything in the fifth section of the act passed on the fifth day of May, Anno Domini one thousand eight hundred and fifty-five, entitled “A supplement to an act to incorporate the West Ward water company of Easton,” to the contrary notwithstanding: *Provided*, Water charges.



That the other rates mentioned in the said section shall not be altered hereby.

Elections

SECTION 4. The first election for managers under this supplement shall take place on the second Monday of March next, when the managers then in office shall vacate their seats, and the board of managers then elected shall serve until the third Monday of January following.

Pay of water  
commissioners.

SECTION 5. That the water commissioners provided for in the sixth section of a supplement to an act to incorporate the West Ward water company of Easton, approved the fifth day of May, A. D. one thousand eight hundred and fifty-five, shall each receive as pay for services while sitting and determining complaints of the citizens of said borough of Easton, two dollars and fifty cents for each and every day, while in the discharge of their duties. The said compensation to be paid by the said West Ward water company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 39.

## AN ACT

To repeal the seventh section of an act incorporating the Roxborough Lyceum, approved May eighth, Anno Domini one thousand eight hundred and fifty-four, and to vest the trust of certain school property in the city of Philadelphia.

Preamble.

WHEREAS, A certain William Levering, and Hannah his wife, by a certain deed of indenture bearing date the first day of April, in the year of our Lord one thousand seven hundred and forty-eight, (recorded at Philadelphia, in Deed Book number fifty-one, page forty-six,) granted and conveyed a certain lot or piece of land, situate in the township of Roxborough, in the county of Philadelphia, containing twenty perches of land, unto Jacob Levering, Peter Righter, Abraham Levering, Wichard Levering, Daniel Barndole, John Grober, John Holdgate and John Wood, in trust for the use of a school and school house forever: *And whereas*, The aforesaid William Levering, by an indenture bearing date the thirtieth day of March, in the year of our Lord one thousand seven hundred and seventy-one, (recorded in Deed Book number forty-nine, page four hundred and seventy-six,) granted and conveyed to the same parties a certain

additional strip or piece of land on the north side of the above first granted twenty perches of land, containing ten perches of land in trust for the use of a school and school house: *And whereas*, A certain Andrew Wood, and Elizabeth his wife, by a certain deed of indenture bearing date the thirtieth day of March, in the year of our Lord one thousand seven hundred and seventy-one, (recorded in Deed Book number fifty-one, page forty-eight,) granted and conveyed to the same parties a certain strip or piece of land, situate on the south side of the first mentioned granted and conveyed twenty perches of land, containing ten perches of land in trust for the use of a school and school house: *And whereas*, By a certain deed of indenture bearing date the seventh day of April, in the year of our Lord one thousand eight hundred and four, (recorded in Deed Book E F, number seventeen, page three hundred and nine,) Abraham Levering, the sole and only survivor of the above named grantees, in trust granted and conveyed all of the above named lots or pieces of land, containing together one quarter of an acre of land, and the building thereon erected, to Michael Righter, and others, in trust for the use of a school and school house, and for no other use or purpose whatsoever: *And whereas*, The said trustees were incorporated by the supreme court of Pennsylvania, on the twenty-eighth day of March, in the year of our Lord one thousand eight hundred and twenty-three, (enrolled at Harrisburg, in Charter Book number three, page four hundred and nineteen,) and exercised the privileges of the said charter until the enactment of the act to consolidate and amend the several acts relative to a general system of education by common schools, passed June thirteenth, A. D. one thousand eight hundred and thirty-six, and the thirty-second section of an act relative to the election of borough and township officers, and for other purposes, passed March seventh, A. D. one thousand eight hundred and forty, by which acts the duties and privileges of the corporators were virtually vested in and exercised by the directors of public schools of the township of Roxborough: *And whereas*, It is desirable that the said land and building thereon should be vested in the "city of Philadelphia," in trust, nevertheless, for the uses and purposes for which the same was granted; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title to and possession of certain lots or pieces of land situate on the Ridge turnpike road between the sixth and seventh mile stones, granted and conveyed by Abraham Levering, trustee, to Michael Righter and others, in trust for the use of a school and school house, and for no other use or purpose whatsoever, be and hereby is vested in the "city of Philadelphia" in trust for the use of a public school.

Title vested in  
city of Philadel-  
phia.

SECTION 2. That the said "city of Philadelphia" shall erect, maintain, provide for and keep in repair a school and school house thereon, for the use of the neighborhood, in accordance with and subject to the laws and regulations governing the first school district of Pennsylvania, which are now in force or may hereafter be enacted.

Duty of city of  
Philadelphia.



Repeal.

SECTION 3. That the seventh section of an act to incorporate the Roxborough lyceum, approved May eighth, A. D. one thousand eight hundred and fifty-four, and all other acts or parts of acts inconsistent herewith, be and hereby are repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 40.

## A SUPPLEMENT

To an act to lay out a State road from Pine Grove, in Mercer county, via Centreville, to the nearest station on the North-western railroad, in Butler county.

Commissioners  
and their duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James P. Christley, E. Kingsbury, and James J. Hoge of Butler county, be and they are hereby appointed commissioners to review so much of the state road from Pine Grove, in Mercer county, via Centreville, to the nearest station on the North-western railroad in Butler county, as was laid out by the commissioners appointed by the act to which this is a supplement, through the land of Thomas Bigham to Water street, in the borough of Centreville, and if the said commissioners appointed by this act, should judge it expedient, to change the route of the said part of the road, and lay out the same so as the same may be opened to the width of thirty feet, and at a grade not exceeding five degrees.

To be sworn, &c.

SECTION 2. That the commissioners appointed by this act shall be sworn or affirmed and proceed in all other respects in the execution of the trust and office committed to them, and be governed by the same directions and be empowered to employ the like assistants, and receive the same compensation as is provided in the act to which this is a supplement, except so far as the same is changed hereby.

Road.

SECTION 3. That if the said commissioners shall change the route of the said road, and lay out such road on other ground, the same when so laid shall be opened and graded, and be a part

of the said road, as if the same had been laid out by the commissioners appointed by the act to which this is a supplement.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

### No. 41.

### A SUPPLEMENT

To an act, entitled “An Act relating to the road laws in Franklin and Valley townships, in the county of Chester,” approved the eleventh day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement, as refers to Valley township, in the county of Chester, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

### No. 42.

### AN ACT

To authorize the Commissioners of Blair county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the commissioners of the county of Blair, be and they are hereby authorized to borrow a sum of money, for county purposes, not exceeding five thousand dollars, at a rate of interest not exceeding six per centum, and for a period not exceeding three years.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 43.

## AN ACT

Relative to the Lancaster County Prison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing contained in the first section of the act, entitled "An Act relating to corporations, and to estates held for corporate, religious and charitable uses," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, shall be construed to repeal the act, entitled "An Act supplementary to the act of nineteenth day of February, Anno Domini one thousand eight hundred and fifty, relative to the Lancaster county prison," approved the fourth day of April, Anno Domini one thousand eight hundred and fifty-four.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 44.

## AN ACT

To change the place of holding elections in the township of Liverpool,  
Perry county.

WHEREAS, The person at whose house the elections were formerly held in the township of Liverpool, in the county of Perry, has notified the judges and inspectors of said township that she will, under no circumstances, permit the holding of any more elections at or in her house; and said notice having been given at too late a period to bring the matter before the court, and no court convening between the time of the notice and the ensuing spring election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of Liverpool township, Perry county, shall hereafter hold their general, special and township elections at the house of John Deckard, in said township.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 45.

## AN ACT

Respecting the offices of prothonotary, register, recorder and clerk of the courts of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified electors of the county of Venango shall at the next general election, and whenever it becomes necessary for an election under the provisions of the act of assembly in such cases made and provided, elect one person to fill the offices of prothonotary of the court of common pleas and clerk of the courts of general quarter sessions and oyer and terminer, and one per-*

## LAWS OF PENNSYLVANIA,

son to fill the offices of register and recorder and clerk of the orphans' court of said county.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 46.

## SUPPLEMENT

To the act incorporating the Tacony and Poquessin Plank Road Company, approved the third day of March, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified in the third section of said act requiring said company to complete their road within three years from the passage thereof, be and the same is hereby extended five years from the expiration of said time.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 47.

## AN ACT

To incorporate the town of Ashland, partly in Schuylkill and partly in Columbia county, into a borough.

WHEREAS, The borough hereby incorporated is situated partly within the county of Schuylkill and partly within the county of

Columbia, and therefore the courts of said counties have not the power to incorporate the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town of Ashland, partly in Schuylkill and partly in Columbia county, shall be and the same hereby is erected into a borough, which shall be called the borough of Ashland, and shall be bounded and limited as follows, to wit: beginning at a post and stones the south-east corner of the Ashland estate; thence south eighty degrees and forty-five minutes west nine thousand four hundred and fifty-five feet; thence north six degrees and fifty-five minutes east five thousand three hundred and seventy-five feet; thence north eighty degrees and forty-five minutes east nine thousand four hundred and fifty-five feet to a stake; thence south six degrees and fifty-five minutes west five thousand three hundred and seventy-five feet to the place of beginning; and shall enjoy the privileges and be subject to the limitations and restrictions of the general laws of this commonwealth relating to boroughs. Boundaries.

SECTION 2. That the first election for borough officers shall be held on the last Friday in February, (instant) and Isaac F. Davis is hereby appointed judge, and Patrick Divine and Lawrence Hannon inspectors, and Benjamin F. Griffith and Joshua Weimer clerks; and in case of the death, absence or refusal of any of them to act, the constable residing within the limits of said borough is hereby authorized to appoint substitutes: *Provided,* That after the year one thousand eight hundred and fifty-seven, the borough election shall be held on the first Monday in February, in each and every year thereafter. Elections.

SECTION 3. That the territory within the limits of the said borough shall constitute and be a separate school district. School district.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 48.

## A FURTHER SUPPLEMENT

To the act, entitled "An Act to incorporate the Hazleton Coal Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



the Hazleton coal company for the completion and repair of their works, with the various constructions, buildings, cars, locomotives and other appliances requisite for duly extending their operations, be and are hereby authorized to borrow any sum or sums of money, not exceeding two hundred and fifty thousand dollars, and to issue loan certificates for the same, in any convenient amounts not less than five hundred dollars, with or without coupons, to be made payable at any period not exceeding fifteen years, and when any of said certificates shall have been paid, new certificates may be issued in lieu thereof: *Provided however*, That the whole amount outstanding at any one time, shall not exceed the aforesaid sum of two hundred and fifty thousand dollars, and for the more perfect security of any sum or sums so borrowed, the said company are authorized to mortgage the whole or any part of their landed estate, railroad and other improvements: *Provided*, That the declaratory act passed the twenty-fifth day of February, eighteen hundred and fifty-six, respecting the interest on loan certificates, issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, eighteen hundred and forty-two, referred to therein, shall extend and be applied to the certificates issued under the present act; and the said Hazleton coal company, may increase their capital by additions thereto, not exceeding ten thousand shares, to be disposed of at such times and in such manner as to them may seem expedient, either for redeeming said loan certificates or otherwise for the furtherance of the interests of the company: *Provided*, That a bonus of the half of one per cent. on the amount of the additional stock thus created, shall be paid to the state treasurer within three months after the payment of each instalment: *Provided*, That all claims for work and labor done and materials furnished shall be special liens against the railroad, buildings, cars, locomotives and other works and appliances for which the money is used that shall be loaned by virtue of this act, and shall be first paid out of the proceeds of any sale of such railroad, buildings, cars and locomotives.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 49.

## AN ACT

Granting equity powers and jurisdictions to Courts of Common Pleas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the courts of common pleas of the several counties of this commonwealth, in addition to the powers and jurisdictions heretofore possessed and exercised, shall have the same chancery powers and jurisdictions which are now by law vested in the court of common pleas or district court of the city and county of Philadelphia, and in all cases an appeal may be taken to the supreme court from the final decrees of the said courts respectively, in suits and proceedings in equity, in the same manner and on the same terms and conditions as are provided in cases of appeal from the decrees of the court of common pleas or district court of the city and county of Philadelphia.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 50.

## AN ACT

To authorize the German Reformed Salem Church and the Evangelical Lutheran Zion's Church, of the borough of Harrisburg, to sell and convey certain real estate.

WHEREAS, The German Reformed Salem church and the Evangelical Lutheran Zion's church of the borough of Harrisburg, in the county of Dauphin, have and possess three several and contiguous pieces or lots of ground situate on Fourth street, Chesnut street and Meadow lane, in aforesaid borough, and which have together constituted the burial ground of said churches, and which grounds they purchased and hold as follows, to wit: the first by deed from the executors of John Harris, deceased, being lot number two hundred and forty, in the

Preamble.

plan of Harrisburg, dated the sixth day of June, one thousand seven hundred and ninety-seven; the second by deed of release from the heirs of John Harris, deceased, the third day of May, one thousand seven hundred and ninety-eight; and the third of said pieces of ground by deed from the executors of James Harris, deceased, dated the twentieth day of October, one thousand eight hundred and seven, all of which deeds are on record in the recorder's office of Dauphin county aforesaid:

*And whereas*, By reason of the increase of population and growth of the borough of Harrisburg, the said burial ground is now in a central part of the borough, and the churches aforesaid in consequence of the same find it impossible to keep it in that order and condition in which it should be preserved:

*And whereas*, Led by a sense of christian duty and proper respect for the memory of their church ancestors, many of whom were among the original settlers of Harrisburg, the aforesaid German Reformed Salem church and Evangelical Lutheran Zion's church, have purchased suitable ground adjoining the Harrisburg cemetery, and which it is intended shall become a part and parcel of the said cemetery, as soon as proper arrangements now in progress can be consummated, and to which they desire to remove the remains of the dead now buried in the above recited three lots of ground in Harrisburg, and to re-inter the same in a suitable manner; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the trustees of the said German Reformed Salem church and of the aforesaid Evangelical Lutheran Zion's church, or their successors in office, and they are hereby authorized and empowered at the mutual expense of the said two churches, to remove the remains of the dead buried on their former burying ground, bounded by Fourth street, Chesnut street, Meadow lane, by the Presbyterian burying ground, and by the African burying ground in Harrisburg, and to re-inter the said remains in the new ground which said two churches lately purchased, adjoining the Harrisburg cemetery, or to such other place or places within the county of Dauphin as the relatives and friends of said dead may select, and to take down in the former burying ground any tombs or grave stones and to re-set the same over the remains to which they may belong.

Removal of dead  
authorized.

Sale authorized.

SECTION 2. That the aforesaid German Reformed Salem church of Harrisburg, and the Evangelical Lutheran Zion's church of Harrisburg, are hereby authorized and empowered to sell and convey any part or all of the aforesaid three lots of ground bounded and described in section first of this act, at any time or times, in such portion and for such price as a majority of the vestry of the said German Reformed Salem church, and a majority of the vestry of the Evangelical Lutheran Zion's church, in joint meeting assembled, shall direct, and as often as such sale or sales shall be made the trustees of the said two churches, or a majority of them, shall by direction of the said vestry, execute a deed or deeds in fee simple to said purchaser or purchasers for the land sold, which deed or deeds shall vest the title

of said churches respectively in the purchaser or purchasers of said ground, or any part thereof.

SECTION 3. That whenever such sale or sales shall be made by the said churches, the proceeds thereof shall first be applied to the payment of the cost of the aforesaid new burying ground purchased by them, and of all the expenses incident to the removal of the remains of the dead now interred in the old burying ground, and after said new ground shall have been paid for and the expenses just named fully discharged, then the whole remainder of the proceeds arising from such sale or sales from time to time effected shall be equally divided, the one-half thereof to be paid to the then acting treasurer of the German Reformed Salem church aforesaid, and the other one-half thereof to the then acting treasurer of the Evangelical Lutheran Zion's church aforesaid, each church to dispose of its respective share of said proceeds as it shall deem best to further the interests of religion.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 51.

## A N A C T

Relative to the sale of a certain burial ground for colored persons, in the borough of Harrisburg, and to the purchase of other ground for such purpose.

WHEREAS, John Harris, Esq., in the original plan and map of the town of Harrisburg, in the county of Dauphin, and state of Pennsylvania, marked and appropriated a certain piece and parcel of ground as a burial ground for colored persons, the same being bounded by Chesnut street, Meadow lane, the burial ground of the German Reformed congregation, (which adjoins the burial ground of the English Presbyterian burial ground,) and the lot numbered in the general plan of the said town number two hundred and forty-one, which lot is now part of the Lutheran congregation in the said borough, the said piece of ground having been always since the settlement of the said town enclosed and used for the said purpose, it being now in the most central part of the said borough, in the midst of its population, trade and traveling, and near several public railroads, and as it is proper that the aforesaid burial grounds should be no longer used as

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such, that the dead interred therein should be removed, and the proceeds of the sale applied to purposes consistent with the design of the said donor,

*Authority to sell.* SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward Bennett, John F. Williams, Martin Perry, John E. Price, Thomas Early, Aaron M. Bennett and Joseph C. Bustill, residents of the said borough, or a majority of them, are hereby authorized and empowered to bargain, sell and convey the above mentioned and described piece of ground for the burial of colored persons, to such person or persons, corporation or corporations, in fee simple estate, with the absolute title thereto, for such sum of money and on such terms as the said trustees, or a majority of them, shall deem proper, to receive the purchase money therefor, and on the receipt thereof to execute, under their hands and seals, and duly acknowledge, a good and sufficient deed for the said ground to the said purchaser accordingly.

*Investment of proceeds of sale.* SECTION 2. That the said trustees, or a majority of them, shall be authorized and empowered, with the purchase money aforesaid by them so received, to contract for and purchase a suitable piece of ground situate in or adjacent to the said borough, to be used for a free burial ground or cemetery for the interment of any and all colored persons who at the time of their death may be residents of the said borough, or who may die therein, a deed or deeds for the ground so purchased, to be executed to the said trustees, in fee simple estate and absolute title in trust for the uses and purposes aforesaid and hereinafter provided.

*Removal of dead.* SECTION 3. That the aforesaid trustees, or a majority of them, shall cause the dead interred in the said present burial ground for colored persons, to be removed therefrom and re-interred in such grave-yard or grave-yards situate in, or adjacent to, the said borough, as may be selected by the kindred or friends of the said dead, the cost of such ground to be paid for by such kindred or friends of such dead, or if no such selections be made, then in the burial ground or cemetery so as aforesaid purchased by the said trustees, or a majority of them; any tomb-stones belonging to the remains of the said dead to be re-set over the same, and the said trustees, or a majority of them, to cause the said new purchased burial ground and cemetery to be enclosed with a good, substantial and suitable fence, and the said burial ground and cemetery to be called the "Harris Free cemetery."

*Surplus money, how to be disposed of.* SECTION 4. That after paying out of the aforesaid purchase money for the said present burial ground all the purchase money for the new ground so as aforesaid purchased by them, together with all the necessary expenses incident to the removing and re-interring the dead, to the sale of the present burial ground, to the enclosing of the new cemetery, and to the executing of the trusts herein provided as aforesaid, the said trustees, or a majority of them, shall pay over the balance of the said purchase money so received by them to the board of trustees of the Harris Free cemetery, to be constituted as hereinafter provided, and upon such payment the powers of the said above named trustees shall cease and determine.



SECTION 5. That all the acts, deeds, receipts, instruments of writing and duties of the said first named trustees shall be done, executed and signed by them, or a majority of them; any vacancy by death, resignation, refusal to act, inability or removal from this county or state, in the number of the said trustees, shall be supplied by the others, or a majority of such others, by a written appointment to be filed in the recorder's office for the said county; the said trustees, or a majority of them, to deposit the purchase money so as aforesaid received by them, or a majority of them, in some bank or banks, to be paid out or withdrawn therefrom only on the checks or orders of the said trustees, or a majority of them; the said trustees, or a majority of them, to file a written statement and account of their receipts and payments aforesaid in the said recorder's office; and the said trustees to execute and perform the aforesaid trusts within three years from the date of this act, at the expiration of which time their powers shall cease and determine, if not sooner determined as aforesaid.

Duties of trustees.

SECTION 6. That on the first Monday of May, in the year Anno Domini one thousand eight hundred and fifty-nine, and on the same day every two years thereafter, there shall be an election held in one of the churches for colored persons in the said borough, for seven trustees of the said Harris Free cemetery, to serve for two years from the time of their election, of whom there shall be elected two persons who at the time of their election are communicant members of the Wesleyan Union church of Harrisburg, two persons, who at such time are communicant members of the African Episcopal church of Harrisburg, and three persons who are not members of either of the said churches, the said election to commence at two o'clock in the afternoon, and close at six o'clock in the afternoon of the said day, previous notice of the election to be published for two weeks in one newspaper in the said borough, and on two Sabbaths in all the churches for colored persons in the said borough; at such election every free male colored person of the age of twenty-one years and upwards, resident in the said borough, shall be entitled to vote; the officers of the election to be appointed, and the mode of voting determined by the electors attending at the said time and place, or a majority of them; the persons having the greatest number of all the votes given, to be the said trustees elected; the first election as aforesaid to be previously published as aforesaid by the first named trustees, or a majority of them, and every subsequent election by the board of trustees of the Harris Free cemetery, such publication and notice to state in what church aforesaid the the said election shall be held; two written returns of every such election, signed by the officers thereof, shall be filed, one in the recorder's office aforesaid, and the other with the said board of trustees of the Harris Free cemetery.

Election of trustees.

SECTION 7. That the trustees so elected, and their successors, shall constitute a board of trustees of the Harris Free cemetery by that name and title, and shall be organized by appointing from their own number a president, and one person to be secretary and treasurer thereof, to hold meetings on their own order; five of the said trustees to be necessary and sufficient to trans-

Style and powers



act business, and a majority of those present a quorum attending to rule on the organization of the said board of trustees so first elected; the title to the said new burial ground and cemetery, shall become vested in the said board of trustees of the Harris Free cemetery by the name and title thereof, and the same be so held, possessed, enjoyed and used by it in fee simple estate and absolute title in perpetuity for the uses, purposes and trusts herein provided; the said board shall have power and it shall be required to put and keep the said ground and cemetery in good order, to direct the places and manner of interments therein, and generally to regulate the same; it shall be empowered to receive from the said first named trustees the balance of the purchase money for the present burial ground as aforesaid, and to give acquittances and discharges therefor, and it shall invest the same by loan or loans on good real estate security, the annual interest thereof to be held and applied by it to the keeping of the said burial ground and cemetery in good repair and order. Any vacancy in the said board by death, resignation, inability, refusal to serve, or removal from the county or state, may be supplied by the other members of the board, or a majority of such other members, until the next subsequent election, or until their successors be elected; such appointment to be in writing, and filed with or entered upon the minutes of the board.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 52.

## AN ACT

To authorize the President and Managers of the Plymouth and Upper Dublin Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Plymouth and Upper Dublin turnpike road company shall have full power and authority to borrow any sum or sums of money, not exceeding two thousand dollars, which may be necessary to enable them to complete their road, discharge the debts incurred in the construction thereof, and enjoy the full benefit of the privileges conferred upon them by the act of assembly authorizing their incorpora-

tion; any such loan to be on such terms and conditions as the said corporation may deem fit, and at any rate of interest not exceeding six per centum per annum, with power also to pledge and mortgage as security for such loan or loans their said road, and all and any of their property, real and personal, together with all their rights, powers, privileges and franchises; any sale or sales under any judicial process to enforce any such pledge or mortgage shall pass to and vest in the vendee or vendees whatever property, rights, powers, privileges and franchises may have been pledged or mortgaged under any such pledge or mortgage as last aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 53.

## AN ACT

Relative to the place of holding elections of Loretto borough, Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the general, special and borough elections of the borough of Loretto, Cambria county, shall be held in the house recently erected adjacent to said borough, and now used for common school purposes by said borough.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 54.

## AN ACT

For the relief of Ann Chappel, widow of a soldier of the Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized to pay to Anna Chappel, widow of William Chappel, deceased, late of Butler county, a soldier in the Indian wars, or her order, a gratuity of forty dollars, and an annuity of forty dollars, during her natural life; commencing the first day of January, one thousand eight hundred and fifty-seven, and half yearly thereafter on the first day of January and July.

ROBERT B. KNIGHT,

*Speaker of the House of Representatives pro tem.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 55.

## AN ACT

To incorporate the Logan Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Smith Skinner, Samuel Bartholomew, Abraham Apple, C. R. Keeny, Charles Beidleman and John Harris are hereby appointed commissioners, who or any five of whom are authorized and empowered from and after the passage of this act to establish an insurance company, by the name and title of the "Logan insurance company," to be located in the city of Philadelphia, with a capital stock of twenty thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital at any time to three hundred thousand dollars, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first

class in the seventh section of said act, and with the right to transact its business upon the mutual principle in connection with its capital stock as aforesaid.

ROBERT B. KNIGHT,  
*Speaker of the House of Representatives pro tem.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

### No. 56.

### AN ACT

To authorize the commissioners of Centre county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Centre county be and they are hereby empowered to borrow upon the credit of said county, for the purpose of defraying the expenses of erecting a new court house and other purposes, any sum of money not exceeding ten thousand dollars, payable within ten years: Provided, That no bond or other obligation shall be issued by the commissioners, for the payment of the same, of a less denomination than one hundred dollars.*

ROBERT B. KNIGHT,  
*Speaker of the House of Representatives pro tem.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

### No. 57.

### AN ACT

Vacating George street, in the Fifteenth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

George street, in the old village of Francisville, now in the Fifteenth ward of the city of Philadelphia, extending from Nineteenth street to Twentieth street, be and the same is hereby vacated, and the title to the soil over which the same is laid, is hereby vested in the owners of the property fronting on each side of said vacated street to the middle thereof.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 58.

## AN ACT

To straighten part of a street in the borough of West Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That a part of the street or road, in the borough of West Pittsburg, shall be straightened as follows, viz: the westwardly side of said street or road, beginning at the north-easterly corner of the rolling mill of James Wood, shall run thence south sixty-one and three quarters degrees west two hundred and eighty-five feet, to the corner of the stone wall erected on the westwardly side of said road; and the eastwardly side of said street shall be parallel with the westwardly side, and forty feet distant therefrom.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 59.

## SUPPLEMENT

To the act, entitled "An act to incorporate the West Branch High School Boarding House Association," approved the twenty-sixth day of February, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the omission on the part of the stockholders to hold their annual election on the first Wednesday of November, as required by the fourth section of the said act, shall in no wise affect the interests, rights or immunities of said company; that the term of office of all the officers elected at the organization of said association, be and the same is hereby extended to the next annual election; that the annual elections shall hereafter be held on the third Monday of November, and the officers elected at such annual elections shall hold their respective offices for one year and until their successors shall have been elected.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 60.

## AN ACT

To legitimate Hetty, Celinda, Henry, Charles and Lavina Hartman.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hetty, Celinda, Henry, Charles and Lavina Hartman, children of Isaac and Catharine Napp, of the county of Snyder, shall respectively have and enjoy all the rights and privileges of children born in lawful wedlock, and shall be able and capable in



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law to inherit and transmit any estate whatever as fully and effectually as if they had been born in lawful wedlock.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 61.

## A N A C T

To legitimate Albert Gallatin Morrow, of Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Albert Gallatin Morrow, natural son of John Morrow, of Addison township, Somerset county, shall have and enjoy all the privileges of a child born in lawful wedlock, and that he shall be able and capable in law to take, hold, inherit and possess, pass and transmit all and every estate real and personal, of whatever kind or nature soever, as fully and effectually to all intents and purposes, as if he had been born in lawful wedlock.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 62.

## AN ACT

Authorizing the Canal Commissioners to examine the claims of James M'Kean and Marmaduke Rambo, contractors on the Erie extension, Pennsylvania canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized and required to examine the claims of James M'Kean and Marmaduke Rambo, contractors on the Erie extension of the Pennsylvania canal, and if they find them entitled by equity and justice to additional compensation for labor performed under their contract, to report the amount so found, if any, to the Senate and House of Representatives.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 63.

## AN ACT

To repeal an act passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to establish and regulate the Erie School District with a High School," and to consolidate the several School Districts of the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to establish and regulate the Erie school district with a high school," be and the same is hereby repealed. Repeal.

SECTION 2. That at the ensuing spring election for city officers in the city of Erie, and at every subsequent spring election, there shall be elected one person in each ward, except when vacancies Election of controllers.

are to be supplied, to act as members of the board of controller<sup>s</sup> of the public schools, who shall hold their offices for three years, and who, with the school directors then in office, shall constitute the board of controllers of the public schools of the city of Erie, as provided in the general school law, the wards of the said city being hereby consolidated with the same effect as if done in the manner provided in the second section of the general school law.

Terms of school  
directors.

SECTION 3. That the members of the present board of school directors of the city of Erie shall hold their offices for the terms for which they were elected, at the expiration of which the board of controllers as aforesaid shall consist of six members, elected as aforesaid.

When this act to  
go into force.

SECTION 4. That the consolidation of the several wards of the said city, as provided in the second section of this act, shall not take place until after the election as aforesaid, when, and on or before the first day of April succeeding said election, the school directors of the wards of said city, and the newly elected members, shall meet and organize themselves into a board of controllers in accordance with the provisions of the general school law, and shall have all the rights and powers, and perform all the duties belonging to and required of a board of controllers organized in the manner prescribed in the second section of the general school law.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 64.

## AN ACT

Changing the name of Ross township, in Mercer county, to the name of Deer Creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name of the township of Ross, in Mercer county, be changed, and said township shall hereafter be known by the name of Deer Creek; and so much of the act of the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-two,*

as relates to the name of said township, be and is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

### No. 65.

#### A SUPPLEMENT

To an act, entitled “An act to reduce the expenses of collecting State and County taxes in Venango county.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act, entitled “An act to reduce the expenses of collecting state and county taxes in Venango county,” approved the third day of April, one thousand eight hundred and fifty-one, be and the same is hereby extended to Jefferson county.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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### No. 66.

#### A SUPPLEMENT

To the act incorporating the congregation of the United Brethren of the borough of Bethlehem, and its vicinity, approved April third, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the second section of the act, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, incorporating "the congregation of United Brethren of the borough of Bethlehem, and its vicinity," be amended as follows: *Provided*, That the clear yearly value or income of the estate, real personal and mixed, of the said congregation, exclusive of the moneys arising from annual stated contributions of the said congregation, and from opening any ground thereto belonging for burials, shall not at any time exceed the sum of twenty thousand dollars.

SECTION 2. That so much of the second section of the act incorporating "the congregation of United Brethren of the borough of Bethlehem, and its vicinity," as is hereby altered, be and the same is hereby repealed.

ROBERT B. KNIGHT,

*Speaker of the House of Representatives pro tem.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 67.

## AN ACT

To legitimate Eliza, James, George and Hesther Ann, children of Christian Sleaceman.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Eliza, wife of Richard Crossland, jr., James, George and Hesther Ann, natural children of Christian Sleaceman, of Bullsken township, Fayette county, shall have and enjoy all the rights and privileges of children born in lawful wedlock, and they shall be able and capable in law to take, hold, inherit and possess, pass, transmit, all and every estate real and personal, of whatever kind or nature soever, as fully, effectually, to all intents and purposes, as if they had been born in lawful wedlock.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 68.

## A N A C T

For the relief of Anne Cox, a widow of a Revolutionary soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and is hereby authorized and required to pay to Anne Cox, of Dunbar township, Fayette county, the widow of Samuel Cox, deceased, who was a private in the Revolutionary war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during her natural life, to be paid half-yearly, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 69.

## A N A C T

To incorporate the Johnsville and Moorland Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William L. Craven, William Sprogell, Charles Kirk, Isaac Hobensack, William Kirk, Isaac R. Kirk, Robert Beans, David Dean, Thomas Fetter, Mitchell Wood, Isaac C. Finney, Lewis R. Willard, Comly Wood, George Fulmore and Levi Walton, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Johnsville and Moorland turnpike road company, with power to construct a turnpike road, commencing at the village of Johnsville, Warminster township, Bucks county, to a point on the Warminster and Willow Grove turnpike road, at or near the place where the Fitzwatertown and Moorland turnpike intersects the same in Moorland township, Montgomery county,

Commissioners.

Style.

Route.



Subject to. subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Capital stock. SECTION 2. That the capital stock of said company shall consist of three hundred and twenty shares, of twenty-five dollars each: *Provided*, That the said company may from time to time, by a vote of its stockholders, at a meeting called for that purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true intent and meaning of this act.

Limitation. SECTION 3. That if the said company shall not commence the construction of their road within two years, and complete the same within five years thereafter, this act shall be null and void, except so much thereof as may be necessary to wind up the affairs and pay the debts of said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 70.

## AN ACT

To authorize the Select and Common Councils of the city of Pittsburg to assess Water Rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the select and common councils of the city of Pittsburg, shall have power to adopt a schedule or schedules of rates by which all water rents shall be assessed to the owner or owners of the premises, and such water rents so assessed shall be a lien upon said premises, and collected in the same manner as city taxes are now by law a lien and collectable. And the provisions of the act of assembly, passed the ninth day of April, A. D. one thousand eight hundred and forty-nine, entitled "An act to exempt property to the value of three hundred dollars from levy and sale upon execution and distress for rent," shall not be construed to apply to any claim arising under this act, nor shall this act be construed to impair, or in any way affect the contract or contracts, lease or leases, between landlords and tenants, for property in the city of Pittsburg, nor

to repeal the sixth section of the act, approved the twelfth day of April, one thousand eight hundred and fifty-one, entitled "An act to change the name of the Methodist church in the city of Pittsburg, and to authorize the trustees thereof to sell certain real estate; relative to the collection of water tax in the city of Pittsburg, and the measurement of coal in Allegheny county, and authorizing the extension of the Wellersburg and West Newton plank road; to confirm the title of Thomas Farley to certain real estate; to mortgage certain real estate of John M'Masters; to settle the accounts of Alfred Sutton, late prothonotary of Allegheny county; to erecting public buildings in Susquehanna county; to a state road in Indiana county, and to the district of Richmond, in Philadelphia county."

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 71.

### A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the Miller's Run and Cross Creek Valley Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the third section of the act of fourteenth April, one thousand eight hundred and fifty-one, incorporating the Miller's Run and Cross Creek Valley plank road company, and its supplements, be and are hereby altered so as to require the said company to complete at least seven miles of the said road, on or before the first day of November, one thousand eight hundred and fifty-eight, instead of the nine miles required by the original act aforesaid; and further, that said company may use stone in the completion or repair of said road, instead of plank.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 72.

## AN ACT

Relative to the Allentown Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Allentown iron company to issue bonds to the amount of two hundred thousand dollars, to be secured by a mortgage on the company's works at Allentown, said bonds to be in sums not less than one hundred dollars each, bearing interest at six per centum per annum, payable semi-annually, and sell the same for a less price than the par value thereof, any law to the contrary notwithstanding: *Provided,* That the amount of bonds so issued and remaining unpaid, shall not at any time exceed two hundred thousand dollars, and the aggregate indebtedness of said company, including all bonds so issued and remaining unpaid, shall not at any time exceed the amount authorized by the charter.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 73.

## AN ACT

Supplementary to an act to incorporate the Mauch Chunk Gas Company, approved the third day of March, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mauch Chunk gas company, for the purpose of completing their works, and extending their pipes to the borough of East Mauch Chunk, if the same shall be deemed necessary, be and they are hereby authorized to increase the capital stock of the

said company to an amount not exceeding four hundred additional shares.

\* SECTION 2. That so much of the act incorporating the said company, approved the third day of March, Anno Domini one thousand eight hundred and fifty-four, as is hereby altered or supplied, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 74.

## AN ACT

To confirm the title of Samuel Grant, his legal representatives and assigns, to the New Hope Delaware Bridge, together with the real estate and franchises thereto, late the property of the president and managers of the New Hope Delaware Bridge Company.

WHEREAS, By a decree of the court of chancery of New Jersey, and in pursuance of certain acts of the legislature of Pennsylvania and New Jersey, conferring and authorizing the powers and proceedings of said court, the New Hope Delaware bridge, together with the real estate and franchises connected therewith, have been sold as the property of the president and managers of the New Hope Delaware bridge company, and conveyed by deed to John G. Mitchener and James Gordon, and by them subsequently sold and conveyed to Samuel Grant, of the city of Philadelphia, who is now the exclusive owner of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proceedings of the court of chancery of New Jersey, and the sale made by its order and decree to John G. Mitchener and James Gordon, and by them subsequently conveyed to the said Samuel Grant, be and the same are hereby fully confirmed as legal and valid, and that all the right, title, interest, property, power and franchises, which were conferred on or vested in the said president and managers of the New Hope Delaware bridge company, be and the same are hereby conferred on and vested in the said Samuel Grant, his legal representatives and assigns, as fully as the same were vested in the said president and managers of the New Hope Delaware bridge company, any defect

in said proceedings, or want of power in the said court, or the said acts of the legislature, to the contrary notwithstanding.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 75.

A N A C T

To authorize the Commissioners of Lancaster county to re-assess the taxes of Little Britain township.

WHEREAS, The assessment book, containing the last triennial assessment of state and county taxes for Little Britain township, Lancaster county, has been lost or abstracted, and it is doubtful whether a remedy therefor is provided by existing laws; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the commissioners of the county of Lancaster be and they are hereby authorized, as soon after the passage of this act as may be, to issue their precept to the assessor of Little Britain township, in said county, requiring him, with the aid of the assistant assessors elected at the last election thereof, to make out and return within thirty days thereafter a just and perfect list and valuation of the several subjects of taxation within said township, as prescribed by and under the provisions of the several acts of assembly regulating triennial assessments.

SECTION 2. The said assessor and assistant assessors shall, on the receipt of the precept aforesaid, proceed to make out and return a just and perfect list and valuation of the several subjects of taxation in said township, in the form directed, and in the manner prescribed by existing laws regulating triennial assessments, and the same proceedings shall be had thereon, as far as applicable, as are provided for the said triennial assessments; and the assessment so taken, when completed, shall remain in the place of, and have the same force and effect as the one lost or abstracted as aforesaid, and also be enforced as the proper assessment of state and county taxes, for said township, for the current year: *Provided, That* if the said assistant assessors, or either of them, shall have died, removed from the township or refuse to act, the said commissioners shall appoint a qualified



citizen or citizens of said township to act as such for the occasion.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

RICHARDSON L. WRIGHT,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 76.

## AN ACT

Relative to the North Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the North Pennsylvania railroad company to make, execute and deliver, either mortgages or transfers in trust of the real and personal estate that may now, or hereafter belong to said company, or any part thereof, including rolling stock, locomotives, cars, trucks, or other personalty whatsoever, to secure loans of money to said company, and each and every such mortgage or transfer, duly acknowledged and recorded in the proper office of the county or counties in which the railroad of said company is or may be located, shall be good, valid and effectual in law against said company, and against all executions or judgments subsequent in date to the recording of such mortgage, although said company may continue to use on their own or any other road, and be in possession of such personal property so mortgaged or transferred: *Provided however,* That all debts against the said company for ties, wood, or materials furnished, or damages ascertained, or labor performed along the line of the said road, or any liabilities heretofore incurred by the said company in the purchase of locomotives, shall be paid in full, or satisfactorily secured to the creditor or creditors, up to the creation of the first mortgage under the act, otherwise the said mortgage or mortgages shall have no validity as against such debts or claims.

SECTION 2. That the loans of money authorized by the first section of this act, may be made upon such terms and at such rates of interest not exceeding twelve per cent. per annum, as the directors of said railroad company may agree upon.

SECTION 3. That all mortgages or transfers in trust heretofore made by said company, in pursuance of the provisions of the second section of the act, approved February nineteenth, one



## LAWS OF PENNSYLVANIA,

thousand eight hundred and forty-nine, entitled "An act regulating railroad companies," are hereby declared to be valid and effectual.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of February, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 77.

## AN ACT

Concerning a certain School District in Washington, Beaver and Allegheny counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the territory within the bounds herein described, viz: Commencing at the farm of William Gilliland, Robinson township, Washington county, thence to the farm of Jane M'Cartney, Findlay township, Allegheny county; thence to the farm of David Gilliland, of the township and county aforesaid; thence to the farm of John Hammond, in Hopewell township, Beaver county; thence to the farm of William Patton, Hanover township, Beaver county; thence to the farm of James Hood, in Hanover township, Washington county; thence to the farm of Thomas Bigger, Esq., Robinson township and county aforesaid; thence to the place of beginning, including the above mentioned farms, shall be attached to, and form part of Hanover township, Washington county, for school purposes, and shall be for said purposes under the jurisdiction and control of the board of directors of said Hanover township school district, and all school tax within said territory shall be levied, collected and disbursed, and the schools administered in like manner, and by the same authority, as in said Hanover township school district.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of February, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 78.

## AN ACT

Authorizing the Hartsville and Centreville Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Hartsville and Centreville turnpike road company be and they are hereby authorized and empowered to borrow any sum or sums of money not exceeding four thousand dollars, at such rates of interest and on such terms as may be determined by the president and managers of said road company, for the purpose of paying certain debts contracted and liabilities incurred in the constructing, improving and grading their road, and for the purpose of completing the same, and purchasing or erecting suitable toll houses and other improvements, and it shall be lawful for the said company to secure the money so borrowed by bond or bonds of said company, and mortgage upon its property, or otherwise, as said president and managers may deem proper.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-third day of February, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 79.

## A SUPPLEMENT

To an act to incorporate the Chartiers Valley Railroad Company, approved February seventh, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Chartiers Valley railroad company be and they are hereby authorized to receive subscriptions to a preferred capital stock of said company, to an amount not exceeding two hundred thousand dollars, in shares of fifty dollars each, to bear an interest at the rate of eight per cent. per annum, and to issue certificates therefor to the subscribers.

Preferred stock  
authorized.

Dividend on preferred stock

SECTION 2. That the holders of the said preferred stock shall be entitled to receive a dividend of eight per centum upon its par value, payable semi-annually from the time of payment therefor, in preference to and before any interest or dividend shall be declared or paid to any holder or holders of the unpreferred stock of said company: *Provided however*, That no such dividend upon said preferred stock shall at any time be declared or paid, except out of the net earnings of the road, nor until all interest due upon the debts of the company, shall have first been paid, or provided to be paid, out of the net earnings of the road as aforesaid.

Payment of stocks.

SECTION 3. That the capital stock authorized by this act, shall be called in and paid at such times and places, and in such proportions and instalments, as the directors of said company shall require; and if any stockholder shall neglect to pay such proportion or instalment so called for, he, she or they shall be liable to pay, in addition to the proportion or instalment so called for, at the rate of one per cent. per month for the delay of such payment.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 80.

## A N A C T

Providing for the election of a State Treasurer.

WHEREAS, The Senate and House of Representatives failed to meet in joint convention on the third Monday in January, one thousand eight hundred and fifty-seven, to elect a state treasurer as provided by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Senate and House of Representatives shall, at twelve o'clock meridian, on the eleventh day of March, one thousand eight hundred and fifty-seven, and on the third Monday of January in each succeeding year, proceed to elect a state treasurer in the manner provided by the act, entitled "An Act relating to elections in this commonwealth," approved the second day of January, one thousand eight hundred and thirty-nine, and the joint resolution in relation to the election of state treasurer, approved the

fifteenth day of January, one thousand eight hundred and forty-two.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 81.

## A SUPPLEMENT

To an act authorizing the Governor to incorporate the Minersville Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of said company be and it is hereby reduced to three thousand two hundred shares of twenty-five dollars each.

SECTION 2. That the number of shares required to be subscribed by the second section of said act, before the governor shall be authorized to issue letters patent for the purposes therein specified, be and the same is hereby also reduced to eight hundred shares of said stock.

SECTION 3. That all parts of the act to which this is a supplement which are inconsistent with the provisions of this act, are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 82.

## A N. A C T

To extend the limits and boundaries of the borough of Middletown, in the county of Dauphin, so as to include the town of Portsmouth, and lands contiguous and adjacent to the said borough and town, into one municipal corporation or borough, by the name, style and title of the borough of Middletown.

Boundaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the borough of Middletown, in the county of Dauphin, shall be comprised within the following boundaries, to wit: Beginning at a point on the river Susquehanna, and at low water mark thereof, opposite to the termination of a certain lane between the lands of George Crist and company, and land now or lately the property of A. Welch; thence by lands of the same and J. Rife, John J. Walborn and Stephen Wilson, north eighteen and one quarter degrees east two hundred and seven perches to the centre of the Middletown and Harrisburg turnpike road; thence by said turnpike road south seventy-eight degrees east forty-six perches to a stone; thence north sixty-four degrees east twelve perches; thence north sixty-one and one-quarter degrees east sixty-six perches to George Crist's lane; thence by lands of Crist, Brown, Croll and others, north twenty-seven and one-quarter degrees west one hundred and seventy-two and one-half perches to lane at side of Red hill; thence by said lane north sixty-nine degrees east one hundred and one perches, to the Great road leading from Middletown to Hummelstown; thence south one-half degree east three hundred and thirty-one perches to centre of Swatara creek; thence down the said creek or river the several courses thereof, to the junction of the said creek and the Susquehanna river, at the low water mark thereof, seven hundred and twenty-eight perches; thence up the said Susquehanna river the several courses thereof, to the place of beginning.

Wards.

SECTION 2. That the said borough shall be and is hereby divided into three wards, in the manner following, to wit: All that part of the said borough lying north of a line commencing at a point on the Harrisburg and Middletown turnpike, and running directly through Water street to a point on the Swatara creek, shall compose one ward, to be called the North ward. And all that part of said borough lying south of said line and north of a line commencing in the lane forming the western boundary of said borough opposite the extension of Ann street, directly through said extension and through Ann street to a point on the Swatara creek, shall compose another ward, to be called the Middle ward. And all that part of the said borough lying south of the said Ann street line, shall compose another ward, to be called the South ward: *Provided,* That this shall not be construed in any manner as to form the said wards into sepa-

School district.



rate school districts, but that the borough of Middletown shall compose one school district, the same as if it were not divided into wards.

SECTION 3. That each of the said wards so constituted shall form a separate election district, and shall vote for and elect, from among the resident citizens of the said ward, two justices of the peace for the said ward, one constable, one assessor, and two assistant assessors, when required by the laws of this commonwealth, two school directors, one judge, and two inspectors of elections, and three of the nine councilmen for the said borough, the councilmen to be classified according to the provisions of this act, and jointly to elect annually one reputable citizen of the said borough, who shall be styled the burgess, and one citizen, who shall be styled the high constable of the said borough: *Provided*, That at the first annual election after the passage of this act, the South ward of the said borough shall elect two school directors, and after the said first election, neither of the said wards shall be entitled to or have more than two school directors at a time; and that the present justices of the peace in and for the North and Middle wards of the said borough, shall hold their offices and continue in the performance of their duties, under their present commissions, as if each had been elected for the respective wards in which they now reside.

Election districts and officers.

SECTION 4. That it shall and may be lawful for all persons entitled to vote for members of the legislature, who have resided within the said borough six months, and in the ward in which they offer to vote at least ten days immediately preceding such election, and have within one year paid a borough tax, to meet on the third Friday in March, in the year of our Lord one thousand eight hundred and fifty-seven, being the day of the township elections in the state, and annually thereafter, at such places as shall be hereinafter provided, and hold their ward and borough elections; the said elections shall be opened, closed, regulated and conducted according to the general election laws of this commonwealth, and the officers thereof shall be subject to the same penalties for fraud or malpractices as by the same law is imposed: *Provided*, That the citizens of said borough shall be entitled to vote at the first election, although they have not paid a borough tax.

Elections.

SECTION 5. That the ward and municipal elections of each ward shall be held at the places hereinafter mentioned, as follows, to wit: the ward election of the North ward shall be held at the Brick school house in Pine street, in said ward; the ward election of the Middle ward shall be held at Union hall, in Elizabeth street, in said ward; and the ward election of the South ward, shall be held at town school house, on the corner of Spring and Ann streets, in said ward; the general elections shall be held at the brick school house, in Pine street, in the North ward, the qualified voters of each ward voting at separate windows.

Election places.

SECTION 6. That after the said elections shall be closed, and the votes counted, the judge shall declare the person having the greatest number of votes for town council, to be duly elected for the said ward; and in case any two or more candidates for the same office, shall have an equal number of votes, the prefer-

Return of elections of borough officers.



ence shall be determined by lot, to be drawn by the judge and inspectors, whereupon they shall notify the person or persons so elected, by certificates under their hands, and shall make duplicate returns of the said election, one copy of which, after being signed by the said judge and inspectors, shall be deposited in the box with the tickets, and the other to be taken by the judge, and be filed among the records of the corporation; the judges from each ward shall meet on the day succeeding the election, at the council chamber, between the hours of nine o'clock, A. M., and twelve o'clock, M., then and there proceed to count the votes given in each ward for burgess and high constable, and shall declare the candidate receiving the greatest number of votes jointly for burgess, to be the burgess elect, and the person receiving the greatest number of votes jointly for high constable, to be the high constable elect, the said judges to be governed, in cases of a tie vote between any two or more candidates for the same office, as is provided for in this section for determining the town council, and it shall also be the duty of the said judges to notify the persons so elected; they shall also make and sign duplicate returns of such joint election, one copy of which shall be deposited with one of the justices of the peace of the said borough, and the other copy to be filed among the records of the corporation.

Of justices, &c.

SECTION 7. That the election returns of the said wards for justices of the peace, judges and inspectors of elections, constables, assessors and school directors, shall be disposed of in the manner provided for in the second section of an act, entitled "An act providing for the election of aldermen and justices of the peace," approved the thirty-first day of June, Anno Domini one thousand eight hundred and thirty-nine, and the first section of an act, entitled "A supplement to an act relating to the elections of this commonwealth," et cetera, approved the thirteenth day of June, Anno Domini one thousand eight hundred and forty.

Meetings of council.

SECTION 8. That on the Monday next after the first election provided for in this act, the members of the town council elected shall be convened at the council chamber, in said borough, by the order of the burgess elect, and then and there shall divide themselves into three classes, the seats of the members of the first class shall be vacated at the expiration of the first year, counting the year from the first Monday after the third Friday in March, and the second class at the expiration of the second year, and the third class at the expiration of the third: *Provided*, That in classifying the town council aforesaid, due observance shall be given so as to allow each of the wards a fair, equal and just representation, according to the true meaning and intent of the third section of this act, and that after the first election each ward shall annually elect one member of the town council, to supply the seat of the member of the town council from such ward, vacated in manner hereinbefore mentioned; the said member of the council to be elected for the term of three years.

Vacancies.

SECTION 9. That in case of death, resignation, removal, refusal to accept, or neglect or refusal to act, after the acceptance of any of the municipal or borough offices, the burgess, or in case

of his death, absence or inability to act, or when he neglects or refuses to act, the first named of the town council shall issue his precept, directed to the high constable, or where he refuses or neglects to act, then any member of the town council shall advertise and hold an election, in the manner aforesaid, to supply such vacancy, giving at least ten days' notice thereof by advertisements set up in at least three of the most public places in the ward or wards in which such vacancy or vacancies may occur, if a member of the council, and the same number of advertisements in each of the wards of the borough, if such vacancy should happen the burgess or high constable: *Provided*, That all special elections shall be held at the usual place in the ward provided for in this act, and between the hours of twelve o'clock, M., and six o'clock P. M.; but previous to such special election, the qualified voters present shall choose one reputable citizen as judge, and two as inspectors, who shall, previous to entering upon their duties, each take the necessary oath or affirmation, before a justice of the peace, and conduct the said special election according to the provisions for election in this act hereinbefore provided.

SECTION 10. That from and after the first Monday after the third Friday of March next, the burgess and town council duly elected as aforesaid, and their successors, shall be one body politic and corporate in law, by the name and style of the burgess and town council of the borough of Middletown, and shall have perpetual succession. And the said burgess and town council aforesaid, and their successors, shall be capable in law to receive, hold and possess goods and chattels, lands and tenements, rents, liberties, jurisdictions, franchises, hereditaments, to them and their successors, in fee simple or otherwise, and not exceeding the yearly value of twenty thousand dollars, and also to give, grant, sell, let and assign the same lands, tenements, hereditaments and rents; and by the name and style aforesaid they shall be capable in law to sue and be sued, plead and be impleaded, in any of the courts of law in this commonwealth, in all manner of actions whatsoever, and to have and use one common seal, and the same from time to time at their will to change and alter.

SECTION 11. That if any person, an inhabitant of the said borough, and duly qualified to elect as aforesaid, shall be elected to the office of burgess, and having notice of his election, shall refuse to undertake and execute that office, every person so refusing shall forfeit and pay a fine of twenty dollars, and if any other person duly qualified as aforesaid, shall be duly elected to any other office in the said borough enacted by this act, and having notice of his election, shall refuse to undertake and execute the duties of that office, every person so refusing shall forfeit and pay a fine of ten dollars, which fine, forfeitures, and all others in pursuance of this act, or the ordinances and by-laws of the said corporation, shall be recoverable before the said burgess, or in case of his absence or inability to act, before any justice of the peace of said borough, for the use of said corporation, in the same manner as debts not exceeding one hundred dollars are recoverable by the laws of this commonwealth: *Provided*, That no person shall be compelled to serve more than

Corporate style

Penalty for not serving as a borough officer.

three years in any term of six years ; and that if any person or persons shall conceive himself or themselves aggrieved by the judgment of said burgess, or any justice of the peace, by virtue of this act, where the sum demanded shall exceed five dollars, he or they may appeal to the next county court of common pleas, upon giving security according to law to prosecute his or their appeal with effect, which appeal shall be entered and receive adjudication in the same manner that appeals from justices of the peace are now entered and determined in said court.

Judges, &c., of  
elections.

SECTION 12. That the judge and inspectors whose duty it is to hold and conduct the inspectors' election of the said borough, shall hold the first election of the North ward ; that Daniel Kendig shall be the judge, and John Cormany and James Young shall be the inspectors, and shall hold and conduct the first election of the Middle ward ; and that Stephen Wilson shall be the judge, and Asa Johnson and Washington R. Snyder shall be the inspectors, and shall hold and conduct the first election of the South ward ; that it shall be the duty of the high constable to give notice of all elections for borough officers, by setting up advertisements in at least three of the most public places in each ward, in the said borough, ten days previously thereto, and that the ward constable of each ward shall attend and see that the same is opened at the time and in the manner, and to perform such other duties as the general election laws of this commonwealth require.

Re-enactment.

SECTION 13. That the fifth, sixth, seventh, eighth, ninth and tenth sections of an act, entitled "An Act erecting Middletown, in the county of Dauphin, into a borough," approved the nineteenth day of February, Anno Domini one thousand eight hundred and twenty-eight, be and the same is hereby re-enacted, and to continue in full force and operation, and that such other parts of the said act, and any of its supplements, as is hereby altered, amended or supplied, be and the same is hereby repealed.

Repeal

Powers of council

SECTION 14. That the town council of the said borough, shall have the power to survey, lay out, enact and ordain such roads, streets, lanes, alleys, courts and common sewers, as they may deem necessary, and to provide for, enact and ordain the opening, widening and straightening of the same, subject to the provisions of the twenty-seventh section of the act of assembly of this commonwealth, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An act regulating boroughs," which are hereby made part of this act: *Provided further*, That the said complaints shall be made and recognizance entered into, as mentioned in said twenty-seventh section of the said act, at the next court of quarter sessions of the county of Dauphin, after notice shall have been served before said court, at least ten days, upon the party or parties through whose lands any road, street, lane, alley or court, as aforesaid, shall have been laid out, that the same has been laid out, and on neglect of the party or parties to make such complaint, and enter into recognizance as aforesaid, then and in that case it shall be deemed and taken as a waiver and relinquishment of the said party or parties' right to damages of the lands so taken, and the said town council shall then proceed to open said road, street, lane, alley or court, forthwith.

SECTION 15. That the provisions contained in the fourteenth section of this act, shall not be construed to extend to the tract of land included within the limits of the borough of Middletown, as created by this act, late the estate of George Fisher, Esquire, deceased, called and known by the name of Pine Ford. Certain land excluded.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 83.

## AN ACT

To provide for the payment of the expenses of the Board of Revenue Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the board of revenue commissioners shall receive as a compensation for their services the sum of four dollars per day, in lieu of the compensation now allowed by law, and that the allowance for mileage for said board, shall be fifteen cents per mile for each mile necessarily traveled; and the state treasurer is hereby authorized and required to pay the said board for services and mileage as aforesaid, and also the contingent expenses of the said board, out of any moneys in the treasury not otherwise appropriated.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 84.

## AN ACT

To authorize the supervisors of the township of Green, in the county of Indiana, to collect a certain portion of road tax in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the supervisors of the township of Green, in the county of Indiana, are hereby authorized and empowered to collect so much of the road tax of said township in money, as may be deemed necessary to pay the said supervisors for their services: *Provided, That* not more than two mills on the dollar be so collected.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 85.

## A FURTHER SUPPLEMENT

To an act incorporating the Pennsylvania Coal Company, approved March fifteenth, A. D. one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the extension of the railroad of the Pennsylvania coal company from Hawley, to connect with the New York and Erie railroad, at some point in the county of Pike, shall not be so construed as to prevent its extension into the state of New Jersey, as authorized by the act to which this is a supplement, and the time for commencing and completing which is hereby extended for a period of five years, and such extensions may be constructed on such plan as the directors may deem expedient; and said company may allow and pay at the rate of eight per centum per annum the semi-annual interest authorized to be paid by the

supplementary act of April thirtieth, one thousand eight hundred and fifty-five.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 86.

### A SUPPLEMENT

To an act incorporating the Mushanon Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Mushanon coal and iron company is hereby reduced to two thousand shares, of fifty dollars each, with power to increase the same to not exceeding twenty thousand shares.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 87.

### AN ACT

To prohibit the fishing in the Bald Eagle creek, in Allison and Bald Eagle townships, Clinton county, and Boggs township, in Centre county, with seines and stengle nets.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



from and after the passage of this act, it shall not be lawful for any person or persons (for the term of five years) to fish with seines or stengle nets, in Bald Eagle creek, in the townships of Bald Eagle and Allison, in Clinton county, and Boggs township, in Centre county; and any person or persons so offending, on conviction thereof on the testimony of one or more witnesses, before a justice of the peace of said counties, shall pay a fine of ten dollars for every such offence, to be recovered as debts of equal amount are by law recoverable, by any person or persons who may sue for the same, one-half thereof to be paid to the informer, and the other half thereof to be paid to the school fund of said townships: *Provided*, That any person or persons so offending, on conviction thereof as aforesaid, who are unable or unwilling to pay said fine of ten dollars, then such person or persons to undergo an imprisonment of three days in the jail of said counties: *And provided further*, That such prosecution shall be commenced within twenty days after such offence shall have been committed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 88.

## AN ACT

To change the time for holding the Mayor's Court of the city of Carbondale, and the August and November terms of the several courts of the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That after February term, of the present year, the quarterly terms of the mayor's court of the city of Carbondale, shall commence on the third Mondays of May, the first Mondays of September, the first Mondays of December, and the first Mondays of February, in each respective year, to continue as heretofore by law directed: *Provided*, That the venires for grand and traverse jurors may be made returnable on such day in the respective terms, as the said court may order and direct.

SECTION 2. That hereafter, in the respective county courts held in and for Luzerne county, the August terms of each year shall commence on the third Monday of August, and the Novem-

ber terms on the second Monday of November, to continue as now by law provided.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 89.

## AN ACT

Relative to the president, managers and company of the Lancaster, Elizabethtown and Middletown Turnpike Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the law, entitled “An Act a supplement to the acts authorizing the governor to incorporate the New Holland turnpike road company, and the Lancaster, Elizabethtown and Middletown turnpike road company,” approved the tenth day of February, Anno Domini one thousand eight hundred and fifty-one, shall be construed and is hereby declared to apply to “the president, managers and company of the Lancaster, Elizabethtown and Middletown turnpike road.”

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 90.

## A N A C T

Providing for the return of a sum of money overpaid into the Treasury of this Commonwealth, by George Ertel, of Philadelphia.

WHEREAS, George Ertel, of the Twenty-third ward of the city of Philadelphia, inn-keeper, through mistake paid for tavern license the sum of twenty-five dollars over and above the amount required; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay to George Ertel, or to his order, the sum of twenty-five dollars, from moneys in the treasury not otherwise appropriated.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 91.

## A S U P P L E M E N T

To an act, entitled “An Act relative to certain courts in the city and county of Philadelphia.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the judges of the district court for the city and county of Philadelphia, in addition to the three commissioners authorized to be appointed by existing laws, are hereby authorized to appoint a commissioner, with the same powers and authorities, and to receive the same compensation as is established in and by the said laws; and any one falsely swearing or affirming before the said*

commissioners, shall be liable to the pains and penalties of perjury.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

JNO. C. FLENNIKEN,

*Speaker of the Senate pro. tem.*

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 92.

## AN ACT

To provide for the incorporation of Gas and Water Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever a special act of the general assembly shall be passed authorizing the incorporation of a gas or water company within this commonwealth, the commissioners named in such act, or any five of them, shall have power to open books for receiving subscriptions to the capital stock of said company, at such time or times and such place or places as they may deem expedient, after having given at least ten days' previous notice in one or more newspapers published, or having circulation within the county where said company shall be located; at which time and place two or more of the said commissioners shall attend, and permit all persons of lawful age who shall offer to subscribe in such books in their own names, or in the name of any other person who shall duly authorize the same, for any number of shares of stock; and the said books shall be kept open respectively for the purpose aforesaid at least three hours in every juridical day, for the space of five days, or until the said books shall have therein subscribed the whole number of shares authorized by such special act, and if at the expiration of the said five days the books aforesaid shall not have the said number of shares authorized as aforesaid therein subscribed, the attending commissioners may adjourn from time to time and transfer the books from place to place, until the whole number of shares shall be subscribed, or such number of shares as shall be required before the issue of letters patent, as hereinafter provided, of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares subscribed shall amount to the number authorized or required as aforesaid, the same shall be closed: *Provided always, That every person offering to sub-*

Subscriptions of stock.

Who may subscribe.

Amount to be  
paid on subscrip-  
tion.

scribe in such books, in his or her own or any other name, shall at the time of subscribing pay to the attending commissioners any sum not less than one nor more than five dollars (as shall be fixed and determined by said commissioners previously to the opening of the books) for every share so subscribed, out of which shall be defrayed such incidental charges and expenses as may be necessary in taking such subscription, and the remainder shall be paid to the treasurer of the corporation as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

Letters patent.

SECTION 2. When twenty persons or more shall have subscribed twenty per centum on the capital stock provided for by such special act of assembly, the said commissioners, or a majority of them may, or when the whole number of shares authorized as aforesaid shall be subscribed, they shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by each, to the governor of this commonwealth, whereupon it shall and may be lawful for the governor, by letters patent under his hand and seal of state, to create and erect the subscribers, and if the subscription be not full at the time, then those also who shall afterwards subscribe to the number aforesaid, into one body politic and corporate in deed and in law, by the name, style and title designated by such special act; and by such name the said subscribers shall have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of taking and holding the capital stock, and the increase and profits thereof, and of enlarging the same by new subscription, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of such special act, and of purchasing, taking and holding, to them and their successors and assigns, and of selling, transferring and conveying in fee simple or for any less estate, all such lands, tenements and hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

Privileges.

Organization.

SECTION 3. That the commissioners aforesaid, as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give notice in the manner provided for in the first section of this act, of the time and place by them appointed, at which time and place the said subscribers shall proceed to organize such corporation, and shall choose by a majority of the votes of the subscribers by ballot, delivered in person or by proxy, duly authorized, one president, five managers and one treasurer, and such other officers as may be necessary to conduct the business of said company, until the first Monday of May next ensuing, and until their successors shall be chosen, and shall then or at any other regular meeting, make such by-laws, orders and regulations, not inconsistent with the constitution and laws of the United States and of this commonwealth, as shall be necessary for the proper management of the affairs of such company: *Provided always*, That each stockholder shall be entitled to one vote for each share of stock not exceeding ten shares, and one vote for every five shares exceeding that number: *And provided*

Votes.



*also*, That no stockholder, whether the original subscriber or assignee, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held at the time of such election, shall have been fully paid and discharged.

SECTION 4. That no person acting as judge or officer for holding an election for officers or managers of any gas or water company incorporated as aforesaid, shall enter on the duties of his office or appointment until he take and subscribe an oath or affirmation before a judge, alderman, or justice of the peace, that he will discharge the duties of his office or appointment with fidelity, that he will not receive any vote but such as he verily believes to be legal; and if any such judge or officer shall knowingly and wilfully violate his oath or affirmation, he shall be subject to all the penalties imposed by law upon the officers of the general elections of this commonwealth violating their duties, and shall be proceeded against in like manner and with like effect; and if any election for officers or managers as aforesaid be held, without the person holding the same having first taken an oath or affirmation as aforesaid, or be invalid for any other reason, such election shall be set aside in the manner now provided by law, and a new election ordered by the court of common pleas of the proper county, upon the petition of not less than five stockholders supported by proof satisfactory to said court.

Election officers  
to be sworn.

SECTION 5. That the stockholders of such company shall meet on the first Monday of May, in every year, at such place as shall be fixed by their by-laws, for the purpose of choosing officers as aforesaid to serve for the ensuing year, or until their successors shall be duly chosen, and at such other times as they shall be summoned by the managers, in such manner and form as shall be prescribed by their by-laws; at which annual or special meetings they shall have full power and authority to make, alter or repeal, by a majority of votes, all such by-laws, rules, orders and regulations made as aforesaid, and to do and perform all lawful and necessary corporate acts: *Provided*, That no by-laws shall be altered or repealed without due notice thereof given at least one month previous thereto at a general or special meeting.

Election of  
officers

SECTION 6. In case of the death, removal or resignation of either the president or any of the managers, treasurer or other officer of any such company, the remaining managers may supply the vacancy thus created until the next election. And it shall be lawful for the board of managers to require the treasurer, or any other officer of any such company, to give bond, with one or more sureties, for such an amount as they may deem necessary, conditioned for the faithful performance of the duties of the office to which he may have been elected or appointed.

Vacancies

SECTION 7. That the president and managers of such company shall procure certificates or evidences of stock, and shall deliver them, signed by the president, countersigned by the treasurer, and sealed with the common seal of the corporation, to each person or party entitled to receive the same according to the number of shares by him, her or them respectively held; which certificates, or evidences of stock, shall be transferable at the pleasure of the holder, in person or by attorney duly authorized, in

Certificates of  
stock.



presence of the president or treasurer, subject, however, to all payments due or to become due thereon. And the assignee or party to whom the same shall have been so transferred, shall be a member of said corporation, and have and enjoy all the immunities, privileges and franchises, and be subject to all the liabilities, conditions and penalties incident thereto, in the same manner as the original subscriber or holder would have been: *Provided*, That no certificate shall be transferred so long as the holder thereof is indebted to said company, unless the board of managers shall consent thereto.

Payment of stock

SECTION 8. That if the stockholder, whether an original subscriber or assignee, after twenty days' notice of the time and place appointed for the payment of any instalment or proportion of the capital stock, shall neglect to pay the same at the place appointed, for the space of thirty days after the time appointed for payment thereof, such stockholder shall, in addition to the instalment so called for, pay at the rate of one per centum per month for every delay of such payment, and if the same and additional penalty shall become equal to the sum before paid on account of such share, the same may be forfeited by and to the said company, and may be sold by them at public sale for such price as may be obtained therefor, or in default of payment of any stockholders of such instalments as aforesaid for the space of sixty days after the time appointed as aforesaid, the president and managers may at their election cause suit to be brought in the same manner as debts of a like amount are now recoverable, for the recovery of the same, together with the penalties aforesaid.

Powers of gas  
companies.

SECTION 9. That where any such company shall be incorporated as a gas company, shall have authority to supply with gas light the borough, town, city or district where it may be located, and such persons, partnerships and corporations residing therein or adjacent thereto as may desire the same, at such price as may be agreed upon; and also to make, erect and maintain therein the necessary buildings, machinery and apparatus for manufacturing gas from coal or other material, and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible, and subject to such regulations as the councils of said borough, town, city or district may adopt in regard to grades, or for the protection and convenience of public travel over the same.

Powers of water  
companies.

SECTION 10. That where such company shall be incorporated for the supply of water, they shall have power to provide, erect and maintain all works and machinery necessary or proper for raising and introducing into the town, borough, city or district where they may be located, a sufficient supply of pure water, and for that purpose may provide, erect and maintain all proper buildings, cisterns, reservoirs, pipes and conduits for the reception and conveyance of water; and they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and beasts of draught or burden, to enter upon such lands and enclosures, streets, lanes

and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain materials for the construction of said works, and to occupy, ditch, and lay pipes through the same, and the same from time to time to repair, subject to such regulations in regard to streets, roads, lanes and other highways, as is provided in the foregoing section for gas companies. And if any injury be done to private property, the said company shall make compensation therefor in the manner hereinafter provided.

SECTION 11. That before any such water company shall proceed to occupy any land or enclosure, or to obtain and use any material therefrom for the purposes mentioned in the tenth section of this act, it shall and may be lawful for them to agree with the owner or owners thereof for the purchase of so much thereof as may be necessary, or as to the amount of injury sustained thereby; but in case they cannot agree, it shall and may be lawful for said company to apply to the court of quarter sessions of the county where their said works may be located, who upon such application are hereby authorized and required to appoint five disinterested and discreet persons of such county, who after being duly sworn or affirmed faithfully to perform the duties enjoined on them by this act, and having given such notice to the parties interested as shall be directed by said court, shall carefully proceed to view and examine the said premises, and according to the best of their skill and judgment estimate the value of the lands or materials necessary to be taken as aforesaid, and of the injury sustained thereby, and shall make an appraisement thereof in writing, and the same shall return to the said court of quarter sessions; and where they shall be of opinion that any lands are necessary to be taken by said company for purposes aforesaid, they shall return with their appraisement of the value thereof a map or draft describing the bounds of such lands, and the said appraisement having been approved by the said court shall be filed in the office of the clerk of said court, together with the said map or draft, as the case may be. And the said company, having paid to the said owners respectively the sum or sums so awarded to them, and the costs of the appraisement, after the same shall have been confirmed by the court, shall be authorized to take and use said materials, and entitled to have and to hold to them their successors and assigns the said lands, for the purposes aforesaid: *Provided*, That either party may file exceptions to said return and appraisement, at any time within ten days after the same shall have been filed in the clerk's office as aforesaid; whereupon the court shall hear and determine the same, and may either confirm said appraisement absolutely, or appoint another jury, as the justice of the case shall require; in which latter case the proceedings of view, appraisement, return and confirmation, shall be as hereinbefore directed.

Damages for land taken by water company.

SECTION 12. That any of the said companies shall have the power and authority, if they shall deem it necessary for the purpose of their incorporation, to borrow any sum or sums of money, in their corporate capacity, not exceeding in the aggregate one-half of their capital stock paid in at the time of obtaining said loan, and to secure payment of the same may make and

May borrow money.

execute a mortgage or mortgages, pledge or pledges of the property and effects of their said corporation, or give such other evidences of indebtedness as may be agreed upon; and the managers shall provide for the payment of the interest upon any loan made under this section, out of the receipts for gas or water, as the case may be, before any dividends shall be paid to the stockholders: *Provided*, That no certificate of loan, or other evidence of indebtedness as aforesaid, shall be for a less sum than one hundred dollars.

Dividends.

SECTION 13. That the board of managers of said company shall declare dividends, payable semi-annually, of so much of the net profits of the company as shall appear to them advisable.

Penalties for illegally using gas or water.

SECTION 14. That if any person or persons shall open a communication into the water or gas main or other pipe of said company, without authority from the inspector or other authorized agent of said company, or shall let on the water or gas after either shall have been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any hydrants, pipes or burners, in addition to those originally put up and inspected, and introduce into them the water or gas, as the case may be, without authority as aforesaid, he, she or they shall be subject to a penalty of not less than ten, nor more than one hundred dollars, recoverable before any alderman or justice of the peace of the proper county as debts of like amount are by law recoverable, one-half to be paid to the informer and one-half to the company.

Penalty for injuries to works.

SECTION 15. That if any person shall wilfully or maliciously do or cause to be done, any act or acts whatever, whereby any building, construction, reservoir or works of said company, or any water or gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped or obstructed, injured, contaminated or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may therefor be indicted in the court of quarter sessions of the proper county, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit.

Reservation.

SECTION 16. That it shall and may be lawful at any time after twenty years from the introduction of water or gas, as the case may be, into any place as aforesaid, for the town, borough, city or district into which the said company shall be located, to become the owners of said works and the property of said company, by paying therefor the net cost of erecting and maintaining the same, with interest thereon at the rate of ten per cent. per annum.

Limitation.

SECTION 17. That every charter of incorporation which shall be granted under the provisions of this act, shall be subject to the power of the legislature to alter, revoke, or annul the same whenever in their opinion it may be injurious to the citizens of

the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*  
DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eleventh day of March, one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 93.

### SUPPLEMENT

To an act incorporating the United States Insurance, Annuity and Trust Company, passed April the twenty-sixth, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this supplement, the number of directors required for conducting the affairs of the United States insurance, annuity and trust company shall be altered so as to authorize and admit of the affairs of the said company being managed by any number of directors not exceeding fifteen, and not less than five in number, at the discretion of a majority of the stockholders of the said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*  
DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 94.

### A N A C T

To incorporate the Upper and Lower St. Clair Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



**Commissioners.** William Boggs, James Millinger, George Lowen and William Espy, of Lower St. Clair township; Witherow Douglass, Adam Ammon, J. Harvey Robb, Joseph M'Knight and N. P. Fetterman, of Upper St. Clair township; Rhinehart Bausman, of South Pittsburg; William M. Lyon, James M. Bailey, R. E. M'Gowen, William C. Robinson and George W. Jackson, of the city of Pittsburg, or any five of them be and they are hereby appointed commissioners to open books, receive subscription to stock and organize a company by the name, style and title of the

**Style.** — Upper and Lower St. Clair turnpike road company, with power to locate and construct a turnpike road and tunnel, commencing on Carson street, at or near Bridge street, in the borough of

**Route.** South Pittsburg, and extending thence to a point on the turnpike commonly called the Coal Hill and Upper St. Clair turnpike road, in the township of Lower St. Clair; subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini eighteen hundred and forty-nine, and the several supplements thereto, so far as the same be not inconsistent with this act.

**Subject to**

**Capital.** SECTION 2. That the capital stock of said company shall consist of one thousand shares of fifty dollars each: *Provided*, That said company may by a vote of the stockholders increase their capital stock so much as in their judgment may be necessary to carry out the true intent and meaning of this act.

**Subscription authorized** SECTION 3. That the president, managers and company for erecting a bridge over the Monongahela river, opposite the borough of Pittsburg, in the county of Allegheny, or any other incorporated company in Allegheny county, be and they are hereby authorized to subscribe stock to the Upper and Lower St. Clair turnpike road company.

**Tunnel.** SECTION 4. That if said company shall deem it necessary in the construction of their road, to make a tunnel, power to do so is hereby granted.

**Tolls.** SECTION 5. That when said company shall have completed their road, they shall have power to erect toll gates, and receive the same toll, for the whole length of the road, as is allowed by the charter of the Monongahela bridge company referred to in section three of this act, or in the same proportion for the distance traveled.

**Limitation.** SECTION 6. That if said company shall not commence the construction of said road within three years of the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 95.

## A SUPPLEMENT

To an act authorizing the governor to incorporate the Minersville Water Company, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of said company be and it hereby is reduced to three thousand two hundred shares of twenty-five dollars each.

SECTION 2. That the number of shares required to be subscribed by the second section of said act, before the governor shall be authorized to issue letters patent for the purposes therein specified, be and the same is hereby also reduced to eight hundred shares of stock.

SECTION 3. That all parts of the act to which this is a supplement which are inconsistent with the provisions of this act, are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 96.

## A FURTHER SUPPLEMENT

To the act, entitled “An Act to authorize the governor to incorporate the West Chester and Philadelphia Railroad Company.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the stockholders of the West Chester and Philadelphia railroad company, within three months after the passage of this act, at a meeting called and held in accordance with the provisions contained in the charter of said company for holding special meetings of stockholders, and upon notice setting forth this act, adopt a resolution accepting this act, then and in that case the said company may, at any time thereafter, make and execute their bonds transferable only on the books of the company, none

May issue bonds.



being under the denomination of one hundred dollars, to an amount not exceeding six hundred thousand dollars, in such form and payable at such time and bearing such rate of interest not exceeding eight per cent. per annum, payable semi-annually, as the president and board of managers of the company may determine; and the said company for securing the payment of the said bonds and the interest thereon, as the same respectively fall due, may execute a mortgage of all their property and estate, real, personal and mixed, wherever situate and being, and whether held at the date of such mortgage or thereafter to be acquired, and of all their rights, privileges, income, tolls, receipts and corporate franchises whatever, and whether then held or thereafter to be acquired, to such trustees and in such form as the said president and managers may determine.

Make a mortgage

Votes of bond holders.

SECTION 2. The holder or holders of any such bonds in whose names the same stand upon the books of the company for thirty days prior to and at the time of any special or annual meeting of the stockholders, may in person or by proxy, cast two votes upon each hundred dollars of such bond so held by him or them, at all elections and upon all questions upon which stockholders are entitled to vote at such or any other meetings of stockholders, and at all such meetings may exercise all the privileges granted and allowed to stockholders in said company.

Effect of a sale.

SECTION 3. That in the event of a sale ever being made of the estate, rights and franchises of said company, under or by virtue of the provisions of any mortgage created under this or any other act, the purchaser or purchasers, their associates and assigns, shall thereupon become a body politic or corporate under the name of the West Chester Direct railroad company, and as such shall be entitled to and succeed to all the estate, rights and privileges of said company.

Name then to be changed.

Extension.

SECTION 4. That the time for completing said railroad shall be extended to the first day of April, Anno Domini one thousand eight hundred and sixty.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 97.

## AN ACT

For the relief of William Trimble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized to examine the claim of William Trimble, of Chester county, and report to the legislature what amount of damage, if any, has been sustained by him arising from a collision with a locomotive engine on the Philadelphia and Columbia railroad.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 98.

## AN ACT

Authorizing the State Treasurer to pay the claim of John Fell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and required to pay John Fell one hundred dollars out of any money in the treasury not otherwise appropriated, being in full of all damage sustained by him by the construction of the Erie extension of the Pennsylvania canal, as adjudicated by the canal commissioners.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 99.

## A SUPPLEMENT

To an act relative to the Coroners of Berks and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act relative to the coroners of Berks and Lancaster counties," approved the eighth day of February, Anno Domini one thousand eight hundred and forty-eight, be and the same are hereby extended to Indiana county.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 100.

## AN ACT

Repealing the first, second, third, fourth, fifth, sixth and seventh sections of an act passed the twenty-second day of March, Anno Domini one thousand eight hundred and fifty, entitled "An Act to reduce the number of Supervisors in the township of Catawissa, Columbia county, and for other purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first, second, third, fourth, fifth, sixth and seventh sections of an act, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty, entitled "An act to reduce the number of supervisors in the township of Catawissa, Columbia county, and for other purposes," be and the same are hereby repealed.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 101.

## AN ACT

Authorizing John Buckwalter and John Huber, late committee of David Stoner, of Lancaster county, to convey to him certain real estate situate in Penn township, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Buckwalter and John Huber, late committee of David Stoner, of Lancaster county, be and they are hereby authorized to grant and convey by deed to said David Stoner, his heirs and assigns, all that certain tract of land containing about three acres, with improvements thereon, in Penn township, Lancaster county, which said committee purchased and now hold for the use of said David Stoner and family, under the provisions of the act of assembly relating thereto, passed the third day of February, Anno Domini one thousand eight hundred and fifty-one.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 102.

## AN ACT

Relative to certain real estate in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John T. Lewis, administrator with the will annexed of William Wallace Cook, deceased, be and he is hereby authorized to sell and convey to Lawrence Johnson in fee a certain yearly ground rent of four pounds ten shillings, (of which the said William Wallace Cook died seized) payable by Tobias Nile, his heirs and assigns, out of and from a certain lot of ground on the south side of Arch, late Mulberry street, in the city of Philadelphia, contain-

ing in breadth east and west eighteen feet three inches, and in length fifty-one feet, bounded northward by Mulberry street, eastward by ground of Samuel Hard, southward by ground of William Hard, and westward by ground late of Joseph Dorvil, and to execute and deliver a good and sufficient deed of conveyance for the same to the said Lawrence Johnson in fee, free and clear of all trust, and without any liability as to the application of the purchase money, and the proceeds thereof to be invested by the said John T. Lewis, in the loan of this commonwealth, and held by him upon the same and like uses and trusts as the said ground rent is now held.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 103.

## AN ACT

Relative to the license of carriages, wagons, carts, drays and other vehicles in the borough of South Pittsburg, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the burgess and town council of the borough of South Pittsburg, in the county of Allegheny, shall have full power and authority to ordain, enact, repeal or amend all such ordinances or by-laws of said borough as to them may appear proper and expedient, requiring, under such penalty as the council may direct, the owner or owners of all carriages, wagons, carts, drays and other vehicles of burden which may or shall pass over the paved streets or alleys of said borough, whether such owner or owners be resident or non-resident within said borough where such vehicles may be used for purposes of business in the borough or elsewhere, to register the same at the office of the burgess, in a book to be kept for that purpose, and to pay such reasonable license to said borough for such use of said streets and alleys as the council may by ordinance order and direct: *Provided, That* nothing hereinbefore contained shall be construed to authorize the burgess and town council aforesaid to charge a license on the wagons or carriages of travelers merely passing through said borough, nor the wagons or vehicles of farmers bringing to market or elsewhere the produce of their farms, or used for the accommoda-



tion of their families, or to wagons or vehicles of non-residents used or engaged in bringing into said borough building materials to be used therein or in its vicinity.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 104.

## AN ACT

To incorporate the Winfield Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter Klair, Amos Briggs, Isaac R. Sheetz, Benjamin Bently, John Moore, and William L. Spear, or a majority of them, and their associates, successors and assigns, be and they are hereby created and constituted a body corporate and politic, by the name, style and title of the Winfield coal and iron company, the capital stock of which company shall be five hundred thousand dollars, with the privilege of increasing the same in the sum of two hundred and fifty thousand dollars more, and the said company may hold not exceeding three thousand acres of land at any one time, in the counties of Armstrong and Butler; and the said company shall have the same powers, liberties, privileges and immunities, and be subject to the same terms and conditions as are imposed on the Anthracite iron company, passed the twenty-fifth day of May, Anno Domini one thousand eight hundred and thirty-nine; and the said company are hereby authorized to construct railroads and erect dwelling houses, and all other necessary buildings in and upon their lands, also all necessary machinery for raising, moving and preparing all minerals found in or on their land to market, and to engage in and carry on the mining and preparing for market, iron, coal, fire-clay and other minerals found in or on their lands, manufacturing the product of the same, selling or conveying the same and the product thereof to market: *Provided,* That said company shall pay to the commonwealth a tax of one-half of one per centum on its capital stock, in four annual payments, the first whereof shall be paid one year after the passage of this act, and shall pay such tax on dividends as is or may hereafter be provided by law.

Corporators

Style.

Capital.

Land.

Powers and privileges.

Tax to state.



Liability of  
stockholders.

SECTION 2. That the stockholders of said company shall be severally liable in their individual capacities to the amount of stock each one may hold, for all the debts contracted by them for work and labor done or materials furnished for opening and mining the materials on or in their lands, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of an act to incorporate the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 105.

## A N A C T

Relative to the Birmingham, East Birmingham and South Pittsburg Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Birmingham, East Birmingham and South Pittsburg gas company, shall have authority to supply with gas light the boroughs of Birmingham, East Birmingham and South Pittsburg, in the county of Allegheny, and their vicinity, and such persons, partnerships and corporations residing in said boroughs and vicinity, as may desire a supply of the same, with the right to enter upon any public street, lane, alley, highway or side-walk in said boroughs or vicinity, for the purpose of laying down pipes for the distribution of gas or for drainage, as the company may deem necessary, with the privilege of inspecting, repairing and re-laying said pipes, doing as little damage as possible to said streets, lanes, alleys, highways and side-walks, and repairing the injuries that may be done to the same with as little delay as possible, and securing the citizens from accident and danger whilst so laying down and repairing their pipes.

SECTION 2. That the acting board of directors and officers of said company shall continue to conduct the affairs of said company until the next annual election, and all the proceedings and acts of said directors and officers are hereby ratified as fully as

if said directors had been regularly chosen at a meeting of the stockholders.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 106.

## A SUPPLEMENT

To an act relating to counties and townships and county and township officers, approved April fifteenth, one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in proceedings to divide any township in this commonwealth it shall be the duty of the court of quarter sessions of the proper county, when a return has been made by commissioners appointed under the provisions of the act to which this is a supplement, favorable to a division, to order a vote of the qualified electors of said township to be taken on the question of a division thereof.

Vote to be taken.

SECTION 2. That it shall be the duty of the said courts, upon the return being made to them as aforesaid, to fix a day certain upon which the election officers of the township proposed to be divided shall hold an election at the place fixed by law for holding township elections, and to be governed therein by the several laws of this commonwealth relating to township elections. And it shall be the duty of the constable of said township, or if there be no constable, then one of the supervisors, to give at least fifteen days notice of the time and place and holding said election by posting not less than six written or printed hand-bills in the most public places in said township.

Time for election to be fixed

SECTION 3. That the ballots to be deposited by the electors shall have written or printed on the outside thereof the word "division," and on the inside the words, "for division" or "against division."

Ballots.

SECTION 4. That it shall be the duty of the officers of said election, after the polls have been closed agreeably to law, to count the ballots, and certify within five days thereafter the number of votes for and against a division to the clerk of the court of quarter sessions of the proper county, who shall, after

Return.

Decree.

filing the said returns in his office, lay the same before the said court at the next sessions, and if it shall appear that a majority of the votes so taken are "for a division," the said court shall thereupon order and decree a division of the said township, agreeably to the lines marked out and returned by the commissioners; but if a majority of votes have been "against a division," no further action shall be had upon said proceedings.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 107.

# AN ACT

For the relief of Hannah Stroup of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is authorized and required to pay Hannah Stroup, of the city of Philadelphia, the widow of John Stroup, a soldier of the Revolution, or her order, a gratuity of forty dollars.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 108.

## A FURTHER SUPPLEMENT

To an act for the incorporation of the Lewistown Bridge Company, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the tenth section, or any supplement thereto, of an act for the incorporation of several bridge companies, and for other purposes, approved the fourth day of April, Anno Domini one thousand eight hundred and thirty-eight, limiting the dividends, so far as relates to the Lewistown and Tuscarora bridge company, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 109.

## AN ACT

To enable the Trustees under the will of Albanus C. Logan to make title to certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Dickinson Sergeant and William Rotch Wister, trustees under the will of Albanus C. Logan, deceased, late of the city of Philadelphia, of one-fourth part of his residuary estate for his daughter, Mary Norris Logan and Thomas A. Newhall, who has succeeded the said J. Dickinson Sergeant, and the said William Rotch Wister, trustees under said will of another fourth part of said residuary estate, for Sarah Elizabeth Betton, late Logan, wife of Thomas F. Betton, and also a daughter of the said Albanus C. Logan, deceased, and their successors in the trust be and they the said trustees and their successors are hereby authorized and em-

powered for and in respect of the several and respective shares, portions and allotments, estates and interests, which they the said trustees severally and respectively have and hold under said will, in and of the same jointly, with Gustavus George Logan and J. Dickinson Logan, the other children of the said Albanus C. Logan, deceased, by deeds, grants, declarations, conveyances and assurances in the law to grant and dedicate to public use, as a public park or square, to remain open forever for public use, subject to such restrictions and limitations as they the said trustees may deem best, all that quadrangular lot or piece of ground containing about eight acres and one quarter of an acre, part of the late estate called Stenton, of the said late Albanus C. Logan, lying between Wyoming street on the north, Courtland street on the south, Sixteenth street on the east, and Seventeenth street on the west, as the same are laid out and confirmed upon the public map or plan of survey of that part or district of the said city of Philadelphia; and also jointly with the said Gustavus G. Logan and J. Dickinson Logan, or together or severally, by deed, grant, dedication, conveyance or assurance, without claim for damages, application or petition to court or other legal proceeding whatever, to open and dedicate to public use forever, all or any of the streets, lanes, ways or alleys laid out upon the said map or plan of survey: *Provided however*, That the said Mary Norris Logan and Sarah Elizabeth Betton, *cestuis que trust* above named, shall severally and respectively express their assent to each and every such deed, grant, declaration, conveyance or assurance, by joining in and executing the same.

SECTION 2. That said trustees, and their successors in said trusts respectively, be and they are hereby authorized to pay out of the principal of their trust estates respectively, whether such principal be the proceeds of realty or otherwise, all expenses of constructing common sewers, grading, curbing and paving both foot and carriage ways of all the streets, lanes, ways or alleys which may be opened and dedicated as in the foregoing section mentioned and allowed, and generally all commissions, damages and expenses growing out of, or due, or to become due in respect of their said trusts respectively.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 110.

## A SUPPLEMENT

To an act to allow and regulate appeals to the Supreme Court for the Eastern District of Pennsylvania, from decrees in equity of the court of common pleas for the city and county of Philadelphia, approved the seventeenth day of March, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever a bill has been or shall hereafter be filed in any court having the jurisdiction of courts of equity in cases of partition, it shall be lawful for the said court, after a decree for partition shall have been made, to refer the cause to a master or a master and commissioners to decide and partition the lands and tenements into purparts, and to value the same, and to ascertain the amounts which shall be paid or charged thereon for owelty, or which shall be paid or secured to the parties to whom no purpart can be allotted in the manner now authorized by law under writs of partition issued out of the courts of common law. And the said master, after such partition and valuation has been made, shall award and allot the said purparts to and among the parties entitled, together with the sums to be charged thereon and payable as and for owelty of partition; and when the premises cannot conveniently be divided into as many purparts as there are parties entitled, to award and allot the amount or sum to be paid or secured to them respectively, and the times when such payments shall be made, and the purparts out of which the same shall be payable.

Reference authorized.

Allotment.

SECTION 2. That it shall be the duty of the court, upon the report of the said master and commissioners being returned, to examine the same, and it shall be lawful for the court to refer the same for alteration or correction, or to set aside the report and direct a new partition and valuation, and when such report shall be approved to confirm the same, and direct conveyances to be made whenever such conveyances are requisite for the purpose of vesting a complete legal title to the purparts in the parties to whom the same shall be allotted, and conveyances heretofore made under such decree are hereby confirmed.

Duty and power of the court.

SECTION 3. That whenever a decree confirming a partition as aforesaid shall have been or shall be made, such decree shall have the same effect as a judgment of a court of law in like cases, that the partition remain firm and stable in vesting the title to the purparts in the parties respectively in severalty to whom such purparts shall have been or shall be allotted.

Effect of decree



## LAWS OF PENNSYLVANIA,

SECTION 4. The provisions of this supplement shall be confined to the city and county of Philadelphia.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 111.

## AN ACT

Authorizing the president and managers of the Perrysville and Zellenople Turnpike or Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Perrysville and Zellenople turnpike or plank road company be and they are hereby authorized to borrow any sum of money not exceeding thirty-five thousand dollars, at such rates of interest and on such terms as may be agreed upon by the president and managers of said company, for the purpose of paying the debts contracted and liabilities incurred in constructing, improving and planking their road, and for the purpose of completing the same. And it shall be lawful for said company to secure the money so borrowed by bond or bonds of said company, and mortgage upon the property, road and corporate franchises of said company, as the president and managers may deem proper; and the said president and managers are hereby authorized to sell and dispose of the said bonds within or beyond this commonwealth, at such rates as may be agreed upon between the parties, and such sale shall be valid as if sold at par: Provided, That no bond shall issue for a less sum than one hundred dollars.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 112.

## AN ACT

For the relief of the sureties of Hiram Hultz, late prothonotary of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Marks and John Ross, sureties of Hiram Hultz, late prothonotary of Allegheny county, be and are hereby released from any liability to the commonwealth as sureties as aforesaid.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 113.

## AN ACT

To incorporate the Northampton Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Matthew H. Jones, William Frimstone and Egbert Rockwell, of Corporators the county of Northampton, and J. G. Fell and Francis A. Comly, of the city of Philadelphia, and such other persons as they shall associate with them and their successors, be and they are hereby erected into a body politic and corporate for the purpose of manufacturing iron in Northampton county, under the name and Style. style of the Northampton iron company, with a capital stock of Capital. six hundred thousand dollars, to be divided into shares of fifty dollars each.

SECTION 2. That the affairs of said company shall be managed Officers and their by five directors, one of whom shall be president, and a majority election. shall have power to act, which said directors shall be chosen from the stockholders, the first election to be held within sixty days after this act shall take effect, of which election public no-

tice shall be given at least two weeks previously thereto, in two or more newspapers in the county of Northampton, and one or more in the city of Philadelphia, and the subsequent elections shall be held annually at such convenient time and place as the directors shall determine, of which previous notice shall in like manner be given: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected, which must be within six months of the time of such failure.

Proviso.

SECTION 3. That the election for directors shall be held by ballot, and each stockholder shall be entitled to as many votes as he holds shares in said company, but no person shall in any case be entitled to more than one-third of the whole number of votes to which the holders of all the shares in the capital stock of such company would be entitled; no share shall confer the right of voting while any instalment thereon is due and unpaid, nor which shall have been transferred within three months from the day of election, nor unless *bona fide* held by the person in whose name it appears in his own right or that of his wife, or as executor, administrator, trustee or guardian, and all votes by proxy shall be on the terms and conditions prescribed by the several acts of assembly regulating proxies.

Votes.

SECTION 4. That the said corporation shall have authority to hold and use a common seal with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure; and by the name of the Northampton iron company shall be capable in law to sue and be sued, plead and be impleaded in any court before any judge or justice in all manner of suits, and all and every matter to do in as full effect as any other person or persons, bodies corporate within the commonwealth, and is authorized and empowered to make by-laws and rules and do everything needful for the good government of the affairs of the said corporation: *Provided*, That the said by-laws and rules be not repugnant to the constitution and laws of the United States or of this state.

Powers.

SECTION 5. That the said corporation shall not at any time contract debts exceeding three times the amount of the capital stock paid in, and the stockholders shall be individually liable for the amount of capital stock by them respectively subscribed and not paid in, and shall forfeit the stock to the company if any instalment called for be not paid within sixty days after notice that it is due shall have been served on them, and that the stockholders of said company shall be jointly and severally liable in their individual capacities for debts due mechanics, workmen and laborers employed by said company, and for provisions and produce furnished for said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of an act to incorporate the Lackawanna iron and coal company, approved the fifth day of April, A. D. one thousand eight hundred and fifty-three.

Liabilities.

SECTION 6. That the said company shall be able and capable in law to take, receive and hold in such manner as they may deem expedient, lands and tenements and estates and interests therein in fee simple or for less estate by deed of conveyance, lease or otherwise, and the same to sell, lease, mortgage or dis-

Hold lands, &c.

pose of to the extent of their interest in the same: *Provided*, That such lands shall not at any one time exceed in quantity two thousand acres.

SECTION 7. That the said company shall use and employ their moneys and property in making and manufacturing iron, and transporting and vending the same, and in acquiring and using such necessary lands and interest therein, materials and conveniences as they may find advantageous, but they shall not exercise any banking privileges, nor do any thing which may not be necessary and proper to their business. Objects.

SECTION 8. That dividends of so much of the profits as the directors shall think advisable shall be declared soon after the settlement of the books on the first day of April, every year, and be paid to the stockholders, or their legal representatives, at any time on demand, after the expiration of twenty days from such declaration, but the dividends shall in no case exceed the amount of net profits actually acquired by the company, as exhibited by the books and accounts; and if the directors shall make a dividend of more than the net profits as shown by the books of the company, the directors consenting thereto shall be liable to the company in their individual capacity for the excess so divided and paid. Dividends.

SECTION 9. That the stock of said corporation shall be transferable agreeably to the by-laws adopted by the company, but no stock shall be transferred on which an instalment may be due and unpaid, unless with the consent of the directors. Transfers of stock

SECTION 10. That any land estate or interest therein, or property or materials for making iron which may be received in payment for subscriptions to stock, shall be taken at a valuation approved by the board of directors, or by a majority of the stockholders, and this act shall not go into effect until six hundred thousand dollars shall have been subscribed, and at least one-half be paid in, of which notice, verified by oath, shall be given to the governor. Payment of subscriptions.

SECTION 11. That the said company shall be required to pay to the state treasurer, for the use of the commonwealth, a tax of one-half of one per centum upon the capital stock, to be paid in four annual payments, the first to be paid on the first Monday of July next, and the remaining instalments at intervals of twelve months each thereafter, and such tax on dividends as is or may be provided by law. Tax to state.

SECTION 12. That this charter shall continue in force for the term of twenty years from the date of its approval, and no longer, unless extended by an act of the legislature; and the legislature reserves the right to amend, alter or repeal it at any time, in such manner, however, as shall not do injustice to the company, nor to any individual thereof. Limitation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 114.

## A SUPPLEMENT

To an act incorporating the Pittsburg, New Castle and Cleveland Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all cases where from any cause whatever the Pittsburg, New Castle and Cleveland railroad company, and the owner or owners of lands and materials proposed to be taken, cannot agree upon the price to be paid by said company for such lands and materials, and application shall be made by said company, or by the owner or owners of such lands or materials, to the court of common pleas of the proper county, or to any one of its judges, at his chambers, for the appointment of viewers, the said court shall appoint three disinterested freeholders of said county not owning lands upon or joining the line of said railroad, or at the instance of either party, the said court or judge shall appoint three disinterested freeholders of any other county or counties, viewers to view and assess damages in the manner provided by the act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Damages, how assessed.

Certain irregularities validated

SECTION 2. That any irregularity that may have occurred as to the subscriptions, issue and transfer of the Lawrence county bonds, now in the possession of the Pittsburg, New Castle and Cleveland railroad company, be and the same is hereby legalized, and the said company is authorized to dispose of the same at such rates as may be agreed upon between said company and the purchaser or purchasers thereof.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 115.

## AN ACT

For the relief of William Palmer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized to refund to William Palmer the sum of two hundred and forty-two dollars and ninety-five cents, that being the amount overpaid by him to the commonwealth on settlement of his account as collector of tolls at at the Summit.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 116.

## AN ACT

To authorize the Commissioners of Erie county, the School Directors of the East ward of the city of Erie, and the City Councils of Erie, to refund to Andrew Scott certain taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Erie, the school directors of the East ward of the city of Erie, and the select and common councils of the city of Erie, in said county, be and they are hereby authorized and directed to open and correct the assessments made on water lots in the harbor of Erie, numbered with the numbers forty-nine, fifty and fifty-one, for the years one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, and one thousand eight hundred and fifty-two, on which taxes were erroneously levied and collected, the same not being subject to tax in consequence



of the whole or a portion of said lots having been dedicated to public use forever, and to refund to Andrew Scott, from their respective and proper treasuries, such county, school, city and water lot taxes as were levied and paid by him on the vacated parts of said water lots forty-nine, fifty and fifty-one, under and by virtue of said erroneous assessments.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 117.

## AN ACT

To change the name of the Portsmouth election district, in the county of Dauphin, and to change the place of voting in said district.

Preamble.

WHEREAS, The limits of the borough of Middletown have been so extended as to embrace within said limits the town of Portsmouth, and other territory composing a part of the Portsmouth election district, as well as the place of voting in said district :

*And whereas,* There is not sufficient time to have said place of voting and name of said district changed by application to the court, so as to give the citizens of said district the right to elect election officers and vote at the next general election ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the citizens of the township of Londonderry, in the county of Dauphin, formerly embraced in the Portsmouth election district, together with such other citizens of said township residing west of the public road leading from Port Royal to Nessley's mill, in said township, shall hereafter hold their general and special elections at the house of Christian Neff, in said township.

Place of holding elections.

Officers.

SECTION 2. That the judge and inspectors of said election shall be elected in the same manner as provided in the act to erect the district of Portsmouth into a separate election district, except that none but citizens of Londonderry embraced in the aforesaid new district shall vote at said election.

SECTION 3. That said district shall hereafter be known as West Name of district, Londonderry election district.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 118.

## A SUPPLEMENT

To an act, entitled "An act to authorize the Canal Commissioners to sell certain real estate," approved the twentieth day of April, A. D. one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners are hereby authorized, if shall they deem it expedient, to sell and convey the whole or any portion of the lands belonging to the state situate on the west side of the Chemung river, opposite to the Athens dam, in Bradford county, to Jesse Spaulding, or to any other person, persons or company, and execute and acknowledge deed or deeds for the same for a fair consideration, to be paid into the state treasury, and thereafter the title to the said land shall be vested in the purchaser or purchasers under this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 119.

## A FURTHER SUPPLEMENT

To the act to incorporate the Reading and Lehigh Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Reading and Lehigh railroad company are hereby authorized to increase the number of directors to twelve, a majority of whom shall be citizens of this commonwealth: *Provided, That* the said company construct, simultaneously with the main road, a branch to Kutztown, Berks county, and they are hereby authorized to extend the same to connect with any railroad now made or hereafter to be made in West Brunswick township, Schuylkill county: *Provided, That* the legislature hereby reserves the right to impose such tax upon tonnage not exceeding three mills per ton per mile, as may in the discretion of the legislature be deemed sufficient to protect the interests of the state.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 120.

## AN ACT

For the payment of George R. Smith, the contestant of the seat of John Ramsey, a member elect from Philadelphia city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and required to pay to Jacob Ziegler, chief clerk of the House of Representatives, one hundred and sixty dollars and forty cents, being the amount paid by him out of the contingent fund to George R

Smith, the contestant of the seat of John Ramsey, a member elect from Philadelphia city.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 121.

AN ACT

To make compensation to the occupants of private houses where the general and township elections are held in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter where the general and township elections are held in the county of Westmoreland at the house of private citizens, the supervisors of said township are hereby authorized and required to pay to the occupant of said houses six dollars for each and every year, which is to be allowed to the supervisors on settlement of their accounts by the auditors of said township.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 122.

## AN ACT

Authorizing the construction of Sluices to dams in Mill creek, in the county of Clarion.

Authority to  
make sluices.

Width

Side booms.

Proviso

Certain sluices  
prohibited.

Damages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person or persons owning or using saw mills on Mill creek, in the county of Clarion, or at the mouth of said creek, who float logs in said creek from his or their lands to his or their mills on said creek, or to mills at the mouth of said creek, according to the provisions of the twenty-third section of an act, entitled "An act to appoint commissioners to run and mark the county lines between York, Cumberland and Adams counties," &c. passed the eighteenth day of April, in the year of our Lord one thousand eight hundred and fifty-three, shall have full authority and are hereby empowered to construct at his or their own expense a sluice in the channel of said stream, at each dam on said stream, not more than fifty nor less than twenty feet wide, and not more than fifty nor less than twenty feet long, and raise the comb of said dam on either side or both sides of said sluice so high as may be necessary for the purpose of floating logs through said sluice, and also to construct side booms in the pond of said dams for the purpose of conducting saw logs through the same to the aforesaid sluice: *Provided,* That this act shall only extend to that part of said creek in Clarion county from the forks to the mouth thereof: *And provided further,* That nothing in this act shall be construed to prevent any owner or owners of said dam or dams from raising or otherwise altering the same: *Provided,* He or they at his or their own expense shall construct a sluice such as above described, where such sluice shall have been destroyed or injured by such alteration.

SECTION 2. That no person or persons owning or using such dam or dams shall make or cause to be made any other sluice or waste way to divert the water from a sluice so constructed or erected on the channel of the stream: *Provided,* That this act shall not be construed so as to prevent the owner or owners from using so much of the water of said stream as may be necessary for the use of his or their mills, or for other manufacturing purposes.

SECTION 3. Should the owner or owners of such dam or dams allege that he or they have been injured by the construction of such sluice, it shall be lawful for him or them to apply to the two justices of the peace who reside nearest to said dam, who are hereby authorized, after giving three days' notice of the time and place of their intended meeting to the party or parties erecting such sluice, or to his or their agent, to appoint three disinterested persons to assess the damages, if any, which the said owner or owners may have sustained, and after having been

duly sworn or affirmed, and giving twenty days' notice as aforesaid of the time and place of their meeting, the said persons so selected by the said justices shall proceed to examine the said dam and sluice, and to inquire into and ascertain the amount and nature of the damages sustained, and file their award under their hands and seals in the office of the prothonotary of Clarion county, which shall be entered upon the judgment document, and when so entered shall have the full force of a judgment, upon which execution may be issued as upon other judgments, and be a lien upon the real estate of the party or parties against whom the award is made, and the costs of said proceedings shall follow the award as in other cases.

SECTION 4. Any person or persons wilfully injuring or removing said sluice, or any part thereof, or the addition to the comb of the dam necessary for making said sluice, or any part thereof, or the side booms in the aforesaid pond, or any part thereof, shall be guilty of a misdemeanor, and shall likewise pay to the person or persons for whose use the said improvements were constructed, three times the amount of the actual damages so sustained, to be recovered by action either in court or before a justice of the peace, according to the amount of damages claimed, and a second offence shall be a misdemeanor and punished by imprisonment in the county jail for not less than thirty days nor more than three months, in addition to the foregoing penalty.

Penalties for injuries to works.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

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No. 123.

## AN ACT

Authorizing the laying out of a State road from a public road leading from Hamburg to Rehrersburg, at or near Stranstown, Upper Tulpehocken township, Berks county, to a public road leading from Rehrersburg to Pottsville, at or near the farm of John Emerick, in Wayne township, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isaac Yost and John Groff, of Berks county, and Philip Boyer,

Commissioners.



of Schuylkill county, be and they are hereby appointed commissioners to view, lay out and mark a state road of the breadth of thirty-three feet, from a point in the public road leading from Hamburg to Rehrersburg, in Berks county, at or near Stranstown, in Upper Tulpehocken township, Berks county, thence by the nearest and best route to a point in the public road leading from Rehrersburg to Pottsville, at or near the farm of John Emerich, in Wayne township, Schuylkill county.

Route.

Duties.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, and lay out the same in the most judicious manner, having a due regard to the nature of the ground, and doing as little injury to private property as possible, and plainly to mark the road laid out; and for fulfilling the duties enjoined by this act the commissioners shall be allowed the sum of two dollars per day for every day they shall be necessarily employed in performing the duties assigned by this act; and the said commissioners are hereby authorized to employ one surveyor at two dollars per diem, two chain bearers and one axeman at a sum not exceeding for each one dollar per diem.

Mark route.

Pay.

Drafts.

SECTION 3. That the said commissioners shall make out a fair and accurate draft of the location of the road, noting therein courses and distances, and the places, waters, county and township lines, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of January next, and one copy in the office of the clerks of quarter sessions of the respective counties through which the said road may pass, on the time aforesaid, or as much sooner as practicable, and from thenceforth the said road shall be a public highway, and shall be opened and repaired as all other roads laid out by the courts are made and repaired.

Expenses, how paid.

SECTION 4. That the commissioners shall draw on the commissioners of the counties through which the said road shall pass, who shall adjust the accounts of the commissioners, surveyor, chain bearers and axeman, and pay them as other accounts by orders on the treasurer of the county are paid: *Provided*, That neither of the said counties shall be liable to pay a greater proportion of said expenses than for the work done and services rendered within the said county.

Meeting.

Vacancies.

SECTION 5. That said commissioners shall meet on or before the first Monday of July next, or as soon thereafter as a majority of them shall agree upon, and complete the location of said road as soon as practicable; and if any vacancy shall occur by resignation or otherwise, it shall be filled by the judges of the court of quarter sessions of the county in which said person or persons so resigning shall have resided.

Opening of road.

SECTION 6. That it shall be the duty of the supervisors of the several townships through which said road shall pass, upon

notice given, to proceed at once to open and make the said road as other roads are made.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 124.

## AN ACT

To provide for the collection of additional taxes in the borough of Manchester, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Manchester, in the county of Allegheny, be and they are hereby authorized and empowered, in addition to the tax now authorized by law to be assessed and collected in the said borough, to levy and collect an additional tax for the next five years on and after the passage of this act, not to exceed five mills on the dollar in any one year, on the last adjusted valuation of property in said borough, for county purposes; the same to be levied and collected in manner as is now provided by law for the levying of taxes in said borough; the same to be appropriated exclusively to the redemption of the public debt of said borough.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 125.

## A FURTHER SUPPLEMENT

To an act to incorporate a company to make a Plank Road from Hopewell to Bloody Run, in Bedford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the company incorporated by the act passed the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five, entitled "An act to incorporate a company to make a plank road from Hopewell to Bloody Run, in Bedford county," be and they are hereby authorized and empowered at such times as the president and managers may deem necessary, for the purpose of raising funds to liquidate any debts which said company may have contracted, and to complete the roads which said company are authorized to construct by the said act or the several supplements thereto, or the road from Hopewell to Bloody Run, to issue certificates of indebtedness or corporate bonds, not exceeding fifteen thousand dollars, none of which shall be of a less denomination than one hundred dollars, signed by the president and attested by the secretary of the company, under the corporate seal of the corporation, and bearing an interest of not more than seven per centum, payable on the first Mondays of January and July, in each year, at the office of the treasurer of the company, and with coupons attached, for said interest, and that the said certificates or bonds shall be redeemable at such times as the president and managers of said company may determine.

May issue bonds.

Mortgage road.

SECTION 2. That the said company is hereby authorized and empowered, for the purpose of securing the payment of said certificates or bonds, and the interest thereon, to pledge and mortgage all or either of their said roads, and all and singular of their property real and personal, together with all and singular their rights, powers, privileges and franchises; which mortgage may be executed and given to one or more trustees for the use of the bond holders, and any sale or sales under any judicial process to enforce any such pledge or mortgage, shall pass to and vest in the vendee or vendees whatever property, rights, powers, privileges and franchises may have been pledged or mortgaged under any such pledge or mortgage as last aforesaid.

Subscriptions authorized.

SECTION 3. That the Chambersburg and Bedford turnpike road company, and the Bedford and Stoystown turnpike road company, and the corporations named in the fifth section of the supplement to the act incorporating a company to make a plank road from Hopewell to Bloody Run, passed the seventh day of March Anno Domini one thousand eight hundred and fifty-six,

are hereby authorized to purchase and take as many of said bonds as they may deem proper.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 126.

# AN ACT

To increase the pay of County Commissioners and County Auditors in the counties of Crawford, Mercer and Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the per diem allowance of the county commissioners and county auditors of the counties of Crawford, Mercer and Bradford, be two dollars per day, to be paid as is now provided by law.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 127.

# AN ACT

To regulate the killing of game in Fulton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

from and after the passage of this act it shall not be lawful for any person or persons to buy, sell or shoot, or otherwise kill in the county of Fulton any wild turkey, pheasant, partridge, quail or rabbit, between the first day of January and the first day of August, in each year, nor woodcock between the first day of January and the first day of July, in each year; and any person or persons offending against any of the provisions of this act, shall forfeit a penalty of five dollars for each and every offence, with all costs and charges, the same to be recovered before any justice of the peace in the said county, as debts of like amount are by law recoverable, the one-half of said fine to the use of the informer, who is hereby made a competent witness, and the other half to the overseers of the poor of the township or borough in which such suit may be brought, for the use of the poor thereof; and in all such cases the possession of the game shall be prima facie evidence against the party having the same.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 128.

## A FURTHER SUPPLEMENT

To the act to incorporate the Seamen's Saving Fund Society of Philadelphia, approved the twenty-seventh day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* to enable the depositors in the Seamen's saving fund society of Philadelphia to participate in the profits of the institution, the managers are hereby authorized to issue to such depositors as may desire it not exceeding fifteen hundred certificates, under seal, of one hundred dollars each, which certificates shall be issued to applicants pro rata from time to time, under such regulations as the managers may adopt. The said certificates shall not bear interest, but after five per centum interest has been paid to the other depositors, and a reasonable surplus fund vested, the remaining profits shall be divided among the holders of certificates: *Provided, That* upon all such dividends a tax of five per centum shall be paid into the state treasury. The board of

managers shall be filled by the holders of certificates, each certificate being entitled to one vote. The managers may be reduced (as vacancies occur) to a number not exceeding twenty, and hereafter they shall in the month of December, in each and every year, appoint three reputable citizens of said city, not members of the society, to audit the accounts and publish the same, as provided in the second section of the act to which this is a supplement.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 129.

# AN ACT

Declaring the Genessee river, in the county of Potter, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the Genessee river, in the townships of Genessee and Bingham, in the county of Potter, is hereby declared to be a public highway from the New York state line to the mouth of Turner creek, in said township of Bingham.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 130.

## AN ACT

To increase the pay of the County Commissioners, Jurors and Witnesses, in certain counties of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the per diem allowance of the commissioners of the counties of Westmoreland, Delaware, Elk, Luzerne and Clearfield, shall be two dollars per day; the pay of witnesses attending court shall be one dollar per day, and of jurors one dollar and fifty cents per day, with mileage, and payment to be made as directed by existing laws relating thereto.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 131.

## AN ACT

Authorizing the burgess and town council of the borough of South Pittsburg to change the place of holding elections in said borough.

WHEREAS, By the construction of the Pittsburg and Steubenville railroad through the borough of South Pittsburg, the present place for holding elections in said borough is rendered unsuitable, and until said borough is prepared to erect a town hall no suitable permanent place can be obtained, and the courts having power to fix only permanent places of holding elections; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of South Pittsburg

be and they are hereby authorized to change the place of holding elections in said borough.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 132.

## AN ACT

To regulate the disbursement of the Contingent Fund of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all moneys appropriated for the contingent expenses of the Senate or House of Representatives shall be disbursed by the clerk of the senate and clerk of the house respectively, upon accounts which shall have been examined and approved by the committees appointed for such purpose by the respective houses, and certified by the chairman of such committee, and not otherwise; and such accounts, when so approved and certified, shall be admitted and passed by the auditor general and state treasurer, and it shall be the duty of the auditor general to settle the said accounts of the clerk of the Senate and of the clerk of the House of Representatives respectively, at the end of each and every session of the legislature.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 133.

## AN ACT

Authorizing the Commissioners of Indiana county to erect a bridge over Crooked creek, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Indiana county be and they are hereby authorized and required to build a suitable and substantial bridge over Crooked creek, where the road from Indiana to Clarion crosses said stream in the township of Washington, in said county of Indiana.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 134.

## AN ACT

For the relief of Elizabeth Gonter, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is authorized and directed to pay to Elizabeth Gonter, of Lancaster city, a widow of a soldier of the Revolutionary war, a gratuity of forty dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 135.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the town of Ashland, partly in Schuylkill and partly in Columbia county, into a borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the said borough of Ashland shall be bounded and limited as follows, to wit: Beginning at a post and stones the south-east corner of the Ashland estate; thence south eighty degrees and forty-five minutes west nine thousand four hundred and fifty-five feet; thence north ten degrees west to the county line between Schuylkill and Columbia counties; thence north ten degrees west four hundred feet to a stone; thence north eighty degrees and forty-five minutes east to the county line aforesaid; thence along the said county line to the south line of the Mary Davidson survey; thence along the line of said Mary Davidson tract north eighty-one degrees and thirty minutes east to a point to intersect the east line of the borough of Ashland; thence south six degrees and fifty-five minutes west to the place of beginning.

SECTION 2. That so much of an act approved the thirteenth day of February, A. D. one thousand eight hundred and fifty-seven, to which this is a supplement, entitled "An act to incorporate the town of Ashland, partly in Schuylkill and partly in Columbia county, into a borough" as is inconsistent herewith, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 135.

## AN ACT

To enable Philip R. Freas to make title to certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Philip R. Freas, of Germantown, in the city of Philadelphia, shall have power and authority to sell certain real estate situate in the borough of Pottstown, in the county of Montgomery, consisting of five brick messuages or tenements, and lots of land thereunto belonging, fronting on High street one hundred feet, and extending back in depth one hundred and forty-four feet, to a twelve feet wide alley; and also one other lot fronting on King street forty feet, and extending back in depth one hundred and forty-four feet to a twelve feet wide alley, either at public or private sale, and to execute a deed for the same to the purchaser or purchasers thereof, in as full and ample a manner and with the like force and effect as though his wife Eliza Freas were of sound mind and duly joined him in the execution of the said deed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 137.

## A SUPPLEMENT

To the act to incorporate the Bedford Mineral Springs Association, approved the seventeenth day of March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the company organized by virtue of the act to which this is a supplement shall be known by the name, style and title of the Bedford Mineral Springs company.

Name.

May issue bonds.

SECTION 2. It shall be lawful for said company to issue bonds to the vendor of the real estate in payment of the purchase money and interest in sums of not less than five hundred dollars each, with coupons for interest attached, and to secure the payment of the same by mortgaging the whole or any part of the real estate of said company.

May make road.

SECTION 3. That said company is hereby authorized to construct a road from the borough of Bedford to the mineral springs, which said road said company shall keep in repair, and they are authorized to apply to the construction and repair of said road

the road taxes which may be annually assessed upon the property of said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 138.

# AN ACT

To incorporate the Waverly and North Branch Bridge Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin P. Snyder, Timothy Hireen and D. L. F. Clark, William E. More, Hiram More, of the county of Bradford, and their successors and assigns, are hereby incorporated into a company by the name of the Waverly and North Branch bridge association, for the purpose of building a bridge across the Chemung river, at or near B. P. Snyder's, in Athens township, in said county, and by that name the said B. P. Snyder, T. Hireen, D. L. F. Clark, W. E. More, Hiram More, their successors or assigns, shall have perpetual succession, and be capable of taking and holding such amount of capital stock as shall be necessary to the erection and completion of said bridge, and of dividing it into shares, and of enlarging the same from time to time in such form and manner as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing and taking and holding to them and their successors and assigns in fee simple or for any less estate, all such lands and tenements, hereditaments and estates real and personal as may be necessary and convenient to them in prosecution of their work, and the same to sell and dispose of at their pleasure, and of suing and being sued, and of making such by-laws as may be necessary for the government and proper management of the affairs of said company: *Provided,* They are not repugnant to or inconsistent with the constitution and laws of this state or of the United States, and of doing all and every other matter and thing which a corporation or body politic may lawfully do; and on the completion of the bridge aforesaid the said B. P. Snyder, T. Hireen, W. E. More, D. L. F. Clark, Hiram More, their successors or assigns, shall be and they are hereby authorized and empowered to demand, receive and collect such tolls for crossing the same



as was granted to the Chemung bridge company, and be entitled to and enjoy all the privileges, powers and immunities granted to, and be subject to all the restrictions, penalties and reservations imposed upon the Chemung bridge company aforesaid by the act of assembly incorporating the same, passed the fourteenth day of April, A. D. one thousand eight hundred and thirty-four.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 139.

## AN ACT

To incorporate the Tyrone and Lock Haven Railroad Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. James Irvin, William A. Thomas, Edward C. Humes, James Burnside, John T. Hoover, Edmund Blanchard, Samuel Linn, H. N. McAllister, Wm. Underwood, John Adams, John Thompson and T. M. Hall, of Centre county; L. A. Mackey, J. S. Furst and Saul McCormick, of Clinton county, and J. T. Mathias of Blair county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name and title of the Tyrone and Lock Haven railroad company, with all the powers and subject to all the provisions and restrictions of an act regulating railroad companies, passed the nineteenth of February, one thousand eight hundred and forty-nine, except as is herein altered or supplied.

Style.

Subject to.

Capital. *SECTION 2.* The capital stock of said company shall consist of ten thousand shares of fifty dollars each, with the privilege of increasing the same to any amount not exceeding twenty thousand shares.

Route. *SECTION 3.* The said company shall have the right to build and construct a railroad with single or double track from the town of Tyrone, on the Pennsylvania railroad in Blair county, to Lock Haven, Clinton county, and the said company shall have power to build or construct branch or lateral roads not exceeding six miles in length, whenever the said company shall think it expedient to do so.

Branches.

SECTION 4. That whenever the parties can not agree upon the damages claimed either for land or materials taken by said company in the prosecution of their said works, the said company may tender a bond, and proceed in all respects as is provided and specified in the second section of an act, entitled "A supplement to an act incorporating the Pennsylvania coal company," approved the seventh day of March, A. D. one thousand eight hundred and forty-nine. Damages.

SECTION 5. That whenever any section or sections of five miles or more of said road shall be completed, the said company may use, employ and enjoy the same in the same manner as when the entire length thereof shall be completed. Tolls.

SECTION 6. That the said company be and they are hereby authorized to pay to the stockholders entitled to receive the same, in the months of January and July, in each year, interest at the rate of six per cent. per annum on all instalments paid by them, and to continue to pay the same until the said road shall be completed; all the profits or earnings of the said railroad within the same time shall be credited to the cost of construction, and all interests paid shall be charged to the cost of construction: *Provided*, That interest shall not be paid upon any share of stock upon which any instalment which has been called *due* remains unpaid: *And provided also*, That the stock of said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized, nor until the net earnings of the company shall realize at least six per cent. upon the capital invested. Interest on stock paid.

SECTION 7. The said railroad company are hereby authorized to borrow on loan any sum or sums of money not exceeding three hundred thousand dollars, and issue their bonds therefor at such rates of interest and in such sums and terms of payment as the said company may deem expedient, and may secure the payment of the said bonds by mortgaging the whole or any part of their property whether real or personal. Borrow money.

SECTION 8. The said commissioners shall give ten days' notice of the time and place of opening books to receive subscriptions to the capital stock of said company, and the supplement to the act incorporating the Lock Haven and Tyrone railroad company, approved the twenty-seventh day of February, one thousand eight hundred and fifty-five, be and the same is hereby repealed. Subscription.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 140.

## AN ACT

To prevent Stock running at large in the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the tenth day of May next all cattle, horses, sheep and hogs belonging to farmers or owners of farms, found running at large, or upon the public roads or highways in the county of Lancaster, shall be considered in the character of strays, and may be taken up as such by any person, and shall and may be disposed of under the existing laws of this state relating to strays, if such person shall see proper to prosecute the same: Provided, That this act shall not apply to any of said animals that may have accidentally escaped from their proper enclosures.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 141.

## AN ACT

Relative to Harris Alley, in the borough of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Harris alley, between Second and Front streets, in the borough of Harrisburg, be and the same is hereby vacated.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 142.

## AN ACT

Authorizing Jacob Aurand, administrator of the estate of Henry Aurand, deceased, to complete contract entered into with Henry Lefevre, with authority to make and deliver deed for a certain tract of land, and also to sell certain real estate held by the said Henry Aurand, in common with the said Jacob.

WHEREAS, Certain real estate in Snyder county is held by undivided interest between Jacob Aurand and the heirs of Henry Aurand, deceased, partly by descent and partly by purchase, and it is for the benefit of the estate that the same be offered for sale as an entirety: Preamble

*And whereas,* Doubts have arisen as to the power of the courts to make the order desired under the circumstances in the particular case; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Aurand, administrator of the estate of the said Henry Aurand, deceased, be and he is hereby authorized to complete the contract entered into by him for himself and the said Henry, deceased, with Anthony Lefevre, of Hartley township, in the county of Union, upon his complying with his said agreement. And that he be and he is hereby authorized to make and deliver to him a deed for the said land purchased by him, to have the same effect as if the said deed had been ordered by the orphans' court of the said county of Union. Jacob Aurand authorized to complete a contract, made, &c

SECTION 2. That in regard to the balance of the real estate held by the said Henry, in common with the said Jacob, situate both in the counties of Union and Snyder, the said Jacob, administrator as aforesaid, be and he is hereby authorized to expose the same to public sale in the said counties respectively, giving due and timely notice of the time and place of sale, and sell the same to the highest and best bidder, and to account for the amount of the interest of the said Henry in his account as administrator, and that he shall not require any other order or warrant for his said sale from either of the courts of the said counties of Union and Snyder. And that he be and hereby is authorized to make and deliver to the purchaser or purchasers of the said real estate a deed or deeds for the same, with the same effect as if he had been authorized to sell the same by an order issued out of the orphans' court of the said counties respectively: And sell certain real estate. *Provided,* That the orphans' court of the said counties respectively shall approve of said sale or sales, and that he also gives security to said courts before proceedings of said sales are confirmed. Sale to be approved.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

## No. 143.

## A SUPPLEMENT

To the act incorporating the Farmers' Mutual Fire Insurance Company of Dover, Conewago, Newberry and East and West Manchester townships, in the county of York, approved the fifteenth day of April, one thousand eight hundred and fifty-six.

Vote: regulated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all elections to be held hereafter by the Farmers' Mutual fire insurance company of Dover, Conewago, Newberry and East and West Manchester townships, in the county of York, for directors of said company, each member insured therein shall be entitled to one vote without reference to the amount of premium paid in during the year by said member.

Annual statement.

SECTION 2. That the first annual statement of the affairs of said company shall be made within thirty days after the first Monday of January, A. D. one thousand eight hundred and fifty-eight, and the publication of said statement at that time shall be taken and deemed a compliance with the provisions of the fifteenth section of the act approved the second day of April, A. D. one thousand eight hundred and fifty-six, entitled "An act to provide for the incorporation of insurance companies."

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 144.

## A SUPPLEMENT

To an act to incorporate a Plank Road Company from Willow Grove, Montgomery county, to Germantown, Philadelphia county, and relative to certain streets in the borough of Bridgeport, in said county, et cetera, approved the twelfth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

a certain street in the borough of Bridgeport, Montgomery county, called Walnut street, as follows, to wit: "The middle line thereof beginning in the middle of Ford street as laid out; thence on the same ground on which we formerly laid it out south nine degrees fifty-five minutes west on lots of James Bush and Philip Hahn two hundred and fifty-one feet four-tenths to the middle of Fourth street," as laid out by the commissioners of said borough, and confirmed by the court of quarter sessions, shall be and the same is hereby vacated and laid aside for ever, and the title of the soil on which the said street passed is hereby vested in fee simple in the several owners of the lots fronting on the said vacated street respectively, each owner to take the part opposite to his or her lot as was vested in them respectively before the laying out of said street.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 145.

## A SUPPLEMENT

To an act to incorporate the Philadelphia Guano Company, approved the thirtieth day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia guano company be and are hereby empowered and authorized to borrow any sum or sums of money which its board of directors may deem necessary in the prosecution of its business, not exceeding in all two hundred and fifty thousand dollars, in such amounts and on such terms and at such rates of interest as the said board may deem necessary, and for the security of the payment of the same they may pledge, hypothecate or convey in trust any of the personal or mixed property owned by the said company; and the said Philadelphia guano company is hereby authorized to issue bonds in sums of not less than one hundred dollars each, based upon such loans and the secu-



## LAWS OF PENNSYLVANIA,

rity thereof, payable at such time or times as the board of directors of said company shall direct.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 116.

## AN ACT

To exempt a legacy to Arthur Lee Moore, by his father, from collateral inheritance tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That a legacy of three thousand dollars, bequeathed by James P. Moore, late of West Fallowfield township, Chester county, to his son Arthur Lee Moore, be hereby released from the payment of any collateral inheritance tax which may be payable to the commonwealth.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 147.

## AN ACT

To legitimate Arthur Lee Moore, of West Fallowfield township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Arthur Lee Moore, son of James P. Moore, of West Fallowfield township, Chester county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, and also to take, under the will of said James P. Moore, the legacy therein bequeathed to him, as fully and effectually as if he had been born in lawful wedlock.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 148.

## AN ACT

To incorporate the Protection Mutual Fire Insurance Company of Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Johnston Moore, Edward Shoemaker, George S. King, John Lloyd, James Potts, William Murray, William R. Hughes, Henry Scanlan, Matthew M. Adams, Francis O'Friel, Francis Bearer, Richard White, Alexander Mullin, James Kaylor, and George J. Rodgers, are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of the Protection Mutual fire insurance company of Cambria county, to be located in Ebensburg, Cambria county, with the power to establish agencies; which said company shall be organized and managed according

to an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, with the right to transact its business upon the mutual principle.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 149.

## AN ACT

To increase the number of Supervisors in the township of Hanover, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the voters of Hanover township, Beaver county, shall elect annually four supervisors for said township, to be elected at the same time and in the same manner as directed by existing laws.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

We do certify that the bill, entitled "An act to increase the number of supervisors in the township of Hanover, Beaver county," was presented to the governor on the twenty-fifth day of February, one thousand eight hundred and fifty-seven, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has become a law agreeably to the constitution of this commonwealth, in like manner as if he had signed it.

J. ZIEGLER,

*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,

*Clerk of the Senate.*

HARRISBURG, March 27, 1857.

No. 150.

## A N A C T

Relative to the election of Supervisors in Moon township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of Moon township, Allegheny county, shall annually elect four supervisors in the manner now prescribed by law, who shall perform the duties and be subject to all the responsibilities that supervisors are now by law subject to.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

We do certify that the bill, entitled "An act relative to the election of supervisors in Moon township, Allegheny county," was presented to the governor on the fourteenth day of March, one thousand eight hundred and fifty-seven, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,  
*Clerk of the House of Representatives*

GEO. W. HAMERSLY,  
*Clerk of the Senate*

HARRISBURG, March 27, 1857.

No. 151.

## A N A C T

To authorize the election of an additional Supervisor in Centre township, Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the qualified voters of Centre township, in the county of Indiana, shall, in addition to the two supervisors now required to be elected by law, elect at

the annual township election of said township a third supervisor, who shall be authorized to perform all the duties, and be subject to all the liabilities now by law imposed on supervisors of townships.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

We do certify that the bill, entitled "An Act to authorize the election of an additional supervisor in Centre township, Indiana county," was presented to the governor on the tenth day of March, one thousand eight hundred and fifty-seven, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,  
*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,  
*Clerk of the Senate.*

HARRISBURG, March 28, 1857.

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No. 152.

## AN ACT

To incorporate the Irving Female College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and hereby is established at Mechanicsburg, in the county of Cumberland, an institution of learning for the education of females in the various branches of general knowledge, science, literature, ancient and modern languages, by the name, style and title of the Irving female college, under the care and direction of a board of trustees not exceeding twenty-five in number, who with their successors in office shall be and hereby are declared to be one body politic and corporate in deed and in law, to be known by the name, style and title of Irving female college, and by the same shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold and purchase for the use and benefit of said college, lands, goods, chattels and moneys of any kind whatever, by gift, grant, conveyance, devise or bequest, from any person or persons whomsoever, capable of making the same, and the same

Style.

Privileges.

from time to time to sell, convey, mortgage or dispose of for the use and benefit of said college; and they shall have power to erect such buildings as may be necessary for the purposes of said college, and to provide libraries, apparatus and all other needful means of imparting a full and thorough course of instruction in any or all the departments of science, literature and the liberal arts, and to do all and singular the matters and things which may be lawful for them to do for the well-being of said college and for the due management and ordering of the affairs thereof.

SECTION 2. That for the present the trustees of the said college shall be Doctor Ira Day, Doctor P. H. Long, Solomon P. Gorgas, Ephraim Zug, John Riegel, John Brandt, Robert Bryson, John B. Coover, David Coover and George S. Adkins, who or any three of them, on and after the passage of this act, shall have power to organize the said board of trustees, and after the said organization three members of the said board shall constitute a quorum to do business at any meeting called in due form according to the by-laws established by said board.

Present trustees.

SECTION 3. That the board of trustees shall have power to fill all vacancies in their own body, to appoint such officers and agents for their own body as may be deemed expedient, and to adopt and establish their own by-laws and regulations; they shall appoint a president and faculty of instruction, who shall be charged with the direction and management of the literary affairs of the college, prescribe the course of study, text-books to be used and the discipline for the government of the pupils; the president or any members of the faculty may be removed from office whenever in the opinion of the board of trustees such removal is necessary to the interest of the institution.

Powers of trustees.

SECTION 4. That the faculty shall have power to confer such literary degrees and academic honors as are usually granted by colleges, upon such pupils as shall have completed in a satisfactory manner the prescribed course of study.

Degrees.

SECTION 5. That the trustees shall faithfully appropriate all moneys and other effects that may come into their hands for the sole benefit of the said institution, nor shall any bequest or donation made to and accepted by the said board, for specific educational objects, ever be diverted from the purposes designated by the donor.

Moneys.

SECTION 6. That the college shall always be open to the admission of pupils of all religious denominations who exhibit a fair moral character, and are willing to yield a ready obedience to the general regulations prescribed for the conduct of the pupils and the government of the institution.

Admission.

SECTION 7. That persons of every religious denomination shall be capable of being elected trustees, or appointed professors and teachers, nor shall any person either as trustee, professor, tutor or pupil be refused admittance into said college, or denied any of the privileges, immunities or advantages thereof for or on account of his sentiments in matters of religion.

Eligibility of office.

SECTION 8. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the parties shall sufficiently appear upon the face of the gift, will or writing whereby any estate or interest was intended to be passed to or from the

Misnomer.



## LAWS OF PENNSYLVANIA,

said corporation: *Provided also*, That the clear yearly income of said corporation shall not exceed ten thousand dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 153.

## A FURTHER SUPPLEMENT

To an act, entitled “An act relating to the Prison of the county of Chester,” approved the first day of February, A. D. one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the inspectors of the prison of the county of Chester are hereby authorized to permit any well-disposed persons to visit any convict or prisoner confined in said prison that a majority of them in their discretion may think proper.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 154.

## A SUPPLEMENT

To an act, entitled "An act to authorize the Governor to incorporate the Pittston Water Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the persons named as commissioners in the first section of the act to which this is a supplement, Charles R. Gorman, Benjamin D. Beyea, William Ford, R. D. Lacoe, E. F. Ferris, John L. Polen, John Hosea, M. D., L. Gaines and Frederick Hill, are hereby substituted as commissioners, with the same powers and duties prescribed in the said act and in the supplement thereto, approved the seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

SECTION 2. That the second section of said act is hereby amended so as to require only two hundred shares of stock to be subscribed before making certificate to the governor and procuring letters patent.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 155.

## FURTHER SUPPLEMENT

To an act, entitled "An act authorizing the Governor to incorporate the Columbia Water Company," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and twenty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Columbia water company of the borough of Columbia, in the county of Lancaster, be and they are hereby authorized and empowered to erect new water works, including engine houses, water pipes and reservoir, and for that purpose they may enter

upon any lands within the borough of Columbia, or the township of West Hempfield, doing as little damage thereto as possible, and first paying for the same, or giving security for the payment of damages, and in the event of the parties failing to agree upon the amount to be so paid, on application to the court of common pleas of Lancaster county by the said company, or other person or persons interested, the said court shall appoint not less than three nor more than seven disinterested freeholders to examine the premises and appraise the said damages, if any; the said freeholders, or a majority of them, having been duly sworn or affirmed, shall proceed to examine the said premises, and shall report the amount of the said damages to the prothonotary of the said court, who shall enter the same on the records of the the said court, and the same shall have a like lien on the property of the said company as a judgment obtained in due course of law.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 156.

## A SUPPLEMENT

To an act, entitled "An act prohibiting persons from throwing slabs in Red Bank creek, and its navigable tributaries, and to incorporate a company to re-build a toll bridge over the Allegheny river at Emlenton, in Venango county," approved the fifth day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Emlenton bridge at Emlenton, for the purpose of paying their debts, finishing the said bridge at Emlenton, and making such other improvements as may be deemed necessary, be and are hereby authorized and empowered to mortgage, sell, lease or otherwise dispose of their said bridge or real estate, or any part thereof, and to borrow money and to issue bonds therefor in amounts not less than one hundred dollars each, at such rates of interest and upon such terms not exceeding the rate of six per centum per annum, as may be determined upon by said corporation, and in case the said corporation should deem it necessary or advisable so to do

Borrow money.

to secure the payment of the said bonds by executing and delivering to such trustee or trustees as the said corporation may select, a mortgage or mortgages upon all or any part of the property and franchises of said corporation, or at their option to make and issue preferred stock in such form and with such security upon the estate and franchises of said corporation, as shall appear to them just and equitable: *Provided*, That the amount of said bonds and preferred stock shall not together exceed the sum of seven thousand dollars.

SECTION 2. That no such loan shall be subject to taxation (except for state purposes) until the clear net profits of said corporation shall exceed six per centum per annum. Tax on loan.

SECTION 3. That the stockholders in the said corporation shall have the right to vote by proxy at all meetings of the stockholders, and all such votes shall be upon the terms and conditions prescribed by an act to regulate proxies, approved on the twenty-eighth day of March, Anno Domini one thousand eight hundred and twenty. Proxies.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 157.

## A N A C T

To legitimate Emily Mary Plumer.

WHEREAS, Anna Maria Meyers, daughter of Thomas Meyers, deceased, of the city of Philadelphia, intermarried with William Gustavus Plumer: *And whereas*, Emily Mary Plumer is an offspring of said marriage: *And whereas*, It has since been ascertained that said William Gustavus Plumer had a wife living at the time of said marriage; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Emily Mary Plumer, of the city of Philadelphia, natural daughter of Anna Maria, who is a daughter of Thomas Meyers, late of the city of Philadelphia, deceased, shall have and enjoy all the privileges of a child born in lawful wedlock; and that said Emily Mary Plumer shall be able and capable in law to take, hold, inherit and possess, pass and transmit all and every estate

real and personal estate whatever, as fully, effectually, to all intents and purposes, as if she had been born in lawful wedlock.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 158.

## AN ACT

Designating the boundaries of the borough of Elkland, in the county of Tioga, legalizing the election and official acts of certain corporation officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the limits of the borough of Elkland, in the county of Tioga, as extended and confirmed by the court having jurisdiction thereof, the record of which has been lost or destroyed, commencing as follows, namely: at a point in the county of Tioga, on the line dividing the states of New York and Pennsylvania, being the north-east corner of David Hammond's lot; thence southerly to the Cownesque river; thence along the west bank of said river to the bridge leading to L. Davenport's mill; thence along the west and north bank of said river to Lemuel Davenport's west line; thence south along the west line of L. Davenport across the said river along D. B. Shoff's east line to the south-east corner to the Bingham line; and thence westwardly along that line to Joel Parkhurst's line; and thence along the said Parkhurst's south line to M. N. Stull and John Hammond; and thence north to the north bank of the Cownesque river; and thence westwardly along said north bank to the south-west corner of Lintsford Coates, adjoining David Taylor; and thence north three degrees east three hundred and sixty perches to the line dividing New York and Pennsylvania; thence east along the said line to the place of beginning, be and the same are hereby fixed, established and declared to be the boundaries and limits of the said borough of Elkland.

SECTION 2. That all acts, ordinances and things done by the burgess and town council of the said borough of Elkland, not inconsistent with the act of the third day of April, Anno Domini eighteen hundred and fifty-one, entitled "An act regulating bo-

Boundaries established.

Certain elections and acts validated.

roughs," and all elections of corporation officers and school directors, as also such acts and things done by the school directors of the said borough, in and by virtue of the authority vested in such officers by law, together with all assessments and taxes levied in said borough for school or other purposes, be and the same are hereby legalized and confirmed, and declared to have and be of force and effect as fully and perfectly as though the record of the court if absolute confirmation under and by authority of which they were done had been filed and preserved according to law.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 159.

# AN ACT

To repeal the Lenox Road Law in the township of Dimock, Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of an act, entitled "An act to extend the Lenox road law in the county of Susquehanna, approved the third day March, one thousand eight hundred and forty-seven, to the township of Dimock, in said county, and for other purposes," approved the eighteenth day of February, Anno Domini one thousand eight hundred and fifty-three, be and the same is hereby repealed.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 160.

## AN ACT

For the relief of Mickley and Bisecker.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay John Mickley, of the county of Adams, one hundred dollars, and to Henry Bisecker, of the same county, six hundred dollars, being the amounts awarded to them respectively by the canal commissioners, on the eleventh April, one thousand eight hundred and fifty-five, for damage sustained by them in the construction of the Gettysburg railroad.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 161.

## A SUPPLEMENT

To the act, entitled "An act to incorporate the Plymouth Railroad Company," passed March eighteenth, Anno Domini one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Plymouth railroad company shall have power to continue and extend the line of their said railroad from a point at or near the present eastern terminus thereof, to such point on the North Pennsylvania railroad, in the county of Montgomery, as shall appear most expedient and proper to the president and managers of said company, so as to connect the same with the said North Pennsylvania railroad, upon the same conditions and under the same restrictions as are prescribed with respect to the main line*

of said road in the act to which this is a supplement: *Provided*, That such extension shall not exceed six miles in length.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 162.

## A SUPPLEMENT

To an act to incorporate the Green Castle and Maryland Line Turnpike or Plank Road Company, approved March twenty-ninth, A. D. one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time for commencing the construction of the Green Castle and Maryland Line turnpike or plank road be and the same is hereby extended until the first day of April, A. D. one thousand eight hundred and fifty-nine, and the time for completing the same until the first day of April, A. D. one thousand eight hundred and sixty-two, and that all subscriptions to the stock of said company heretofore made be and the same are hereby legalized and made valid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

FR. JORDAN,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 163.

## A N A C T

To incorporate the Huntingdon Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James Gwin, A. P. Wilson, B. E. M'Murtrie, John Scott, David Black, William P. Orbison, James Saxton, David Blair, William Lewis, Alexander Port, J. Simpson Africa, William Dorris, jr., and their associates and successors, be and the same are hereby made and constituted a body politic and corporate by the name and style of the Huntingdon gas company, and by said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with relative to the business and objects of said corporation as hereinafter declared, and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease or purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute obligations for the liabilities created in the transaction of said business of the corporation, and for none other.

SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Huntingdon and its vicinity, in the county of Huntingdon, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on, and also to make and erect within said borough the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible.

SECTION 3. That the capital stock of said corporation shall be fifteen thousand dollars, to be divided into shares of fifty dollars each, and may be increased from time to time not to exceed thirty thousand dollars, as the managers thereof shall deem necessary, for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which certificates shall be transferable at pleasure by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.

SECTION 4. That the said named persons, or a majority of them, shall as soon as one hundred shares of stock are sub-

Corporators.

Style.

Powers.

Gas works.

Capital stock.

Organization.

scribed, give at least two weeks' previous notice in two newspapers published in said borough, of the time and place by them appointed for the subscribers to meet in order to organize the said company, and to choose by a majority of votes of the said subscribers by ballot, to be given in person or by proxy duly authorized, five managers to serve until their successors shall be duly elected, which shall be annually on the first Monday in January thereafter, and said managers shall have power to select one of their number as president, and also a secretary and treasurer to serve for the same term, and the manner of conducting said elections shall be prescribed in the by-laws of said corporation, and at all elections the stockholders shall be entitled to one vote for each share bona fide held by him, her or them, either as trustees, executors or administrators at the time of holding said election. Annual elections

SECTION 5. That the board of managers of this corporation shall have power to make by-laws not inconsistent with the laws of this commonwealth, and shall keep minutes of their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable and at such times as the by-laws may fix, which shall be paid to the stockholders on demand ten days after the same shall have been declared. By-laws.  
Dividends.

SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of said company without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having the same inspected and approved by the proper officer of the corporation, at proper times and under proper circumstances to inspect the pipes, metres, burners, et cetera, put up in any building, he, she or they so offending shall be subject to a penalty of not less than five nor more than fifty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recoverable, one half to be paid to the informer, who shall be a competent witness, and the other half to the company. Penalty for illegally using gas.

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars, or be imprisoned for a period of time not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit. Penalty for injuries to works.

Payment of stock

SECTION 8. That if any subscriber for stock to said company, or his, her or their assigns, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of said company to forfeit the said stock, and the amount paid thereon may be disposed of by the said company as will best promote their objects.

May borrow money.

SECTION 9. That the managers of this company are hereby authorized to borrow, if necessary, any sum or sums of money not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same may execute a mortgage or judgment upon their works and real estate, signed by their president and attested by their secretary in favor of the person or persons who may have loaned the same; and the said managers shall provide for the payment of the interest not to exceed eight per centum per annum upon any loan made under this section, out of the receipts of said company before any dividends shall be paid to the stockholders.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 164.

## AN ACT

Relative to Cemeteries and Burial Places in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter it shall not be lawful to erect or establish any slaughter house, manure or bone dust factory, soap factory, distillery or tannery within two hundred yards of the enclosed grounds of any incorporated cemetery, and any slaughter house, manure or bone dust factory, soap factory, distillery or tannery hereafter erected or established within the said distance from the boundary of any such cemetery or burial place, is hereby declared*



and shall be deemed and taken to be a public nuisance, subject to be abated and removed as common or public nuisances are in other cases: *Provided*, That the provisions of this act shall be confined to the county of York.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

FR. JORDAN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 165.

## AN ACT

Relative to a certain lot or piece of ground in the city of Reading, commonly known as the German Lutheran burial ground.

WHEREAS, By the increase of population and growth of the city of Reading, the burial ground of the German Lutheran congregation situate at the north-west corner of Walnut and Sixth streets, in said city, is now in a central part of said town:

*And whereas*, The said German Lutheran congregation have purchased a suitable and convenient burial place outside of the limits of the said city, and the remains of the dead are generally removed and being removed from the aforesaid burial ground, and the said ground is no longer required for the purpose originally intended:

*And whereas*, The interests of society require that the aforesaid burial ground shall cease to be used any longer as such, and that the dead therein interred shall be removed to some other place and the ground appropriated to such other objects as may be deemed best by those having it in charge; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the persons composing the vestry of the German Lutheran congregation of the borough of Reading, in the county of Berks, by and with the consent of a majority of the male members of said congregation, are hereby authorized to sell and convey to the purchaser or purchasers in fee simple, all that certain lot or piece of ground situate at the north-west corner of Sixth and Walnut streets, in the city of Reading, containing two hundred and forty feet on Sixth street, and two hundred and thirty feet on Walnut street, and apply the money arising from such sale to the payment of the debts due by said congregation, and to



such object or objects of a benevolent or religious character as shall be directed by a majority of the pew holders of the said congregation, not inconsistent with the purposes of their religious association.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

FR. JORDAN,  
*Speaker of the Senate pro tem.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 166.

## AN ACT

Relating to Road Viewers in Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the jurors appointed by the court of quarter sessions of the peace in and for the county of Delaware, to view, review, or for any subsequent view, and to lay out any public road or highway within said county of Delaware, shall, in addition to their other duties, in all cases where they proceed to lay out any public road or highway, also assess the damages which may be sustained by each and every owner of any land through which such road or highway may be laid out, and where there shall be more than one report in favor of laying out any road or highway, then and in such cases the damages to be paid out of the county treasury shall be those which shall be last assessed and reported: *And also provided,* That the damages to be assessed under the provisions of this act, shall not be paid out of the county treasury until the road shall be confirmed and actually opened.

SECTION 2. That so much of any act of this commonwealth as is hereby altered or supplied be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 167.

## A N A C T

Authorizing the Board of Property to examine and settle the claim of the heirs and legal representatives of John Hughes and Timothy Ryan, deceased.

WHEREAS, It is alleged by the heirs and legal representatives of John Hughes and Timothy Ryan, that by warrants dated in October, one thousand seven hundred and eighty-four, eight whole and seven fractional surveys were made of land which were then supposed to be within the boundaries of Pennsylvania, and in what was then Washington but now Greene county, and that patents for the same were granted by the commonwealth in August, one thousand seven hundred and eighty-five, to the said John Hughes and Timothy Ryan, who paid or caused to be paid the purchase money and office fees: Preamble.

*And whereas,* It is further alleged that on running the line between the states of Virginia and Pennsylvania, under the joint commissions of the said states, it was ascertained that the lands surveyed and patented as aforesaid were within the boundaries of the state of Virginia, and therefore subject to the laws and jurisdiction of that state:

*And whereas,* Agreeably to the provisions of the act of first of April, one thousand seven hundred and eighty-four, entitled "An act confirming an agreement entered into between this state and the state of Virginia," the purchase or consideration money which has been received by either state for lands which according to said agreement shall fall within the territory of the other, the same shall be reciprocally refunded and repaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of property be authorized and directed to examine the claim of the heirs and legal representatives of John Hughes and Timothy Ryan, for lands surveyed and patented to them, which on running the boundary between the states of Virginia and Pennsylvania were found to lie within the limits of the former, and if the facts are found to be within the principles established by the act of first of April, one thousand seven hundred and eighty-four, confirming an agreement entered into between this state and the state of Virginia, and other laws establishing said boundary line, the said board of property are required to certify to the treasury of the commonwealth such amount of purchase money and interest as should be refunded by the state to the heirs and legal representatives of said John Hughes and Timothy Ryan, and the state treasurer is hereby authorized and directed to pay such amount to said heirs and legal representa-

Claim to be examined.

And paid.

tives, their attorney in fact or authorized agent, out of any money in the treasury not otherwise appropriated.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, 'Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

### No. 168.

## A SUPPLEMENT

To an act to authorize the burgess and town council of the borough of Media to erect Water Works, approved the sixth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Media shall be and are hereby authorized to lay and assess yearly and every year a tax to be called a protection tax, upon the owners or occupiers of all lots, houses, barns, stables, sheds, out-houses and other buildings erected thereon within said borough of Media: *Provided,* That no tax shall be laid or assessed for any lot or building erected thereon not bounding on a street where such main or iron pipe is laid opposite thereto, or within two hundred feet from said main: *Provided also,* That each protection tax shall not exceed the sum of five dollars, the rate charged for one hydrant for the time being.

SECTION 2. That the said burgess and town council are hereby authorized to discriminate and distinguish in the laying and assessing of said tax between the owners and occupiers who pay water rents for the use of the water introduced into lots on which such houses, barns, stables, out-houses or other buildings may be erected, and those who pay no such water rents, and the said tax when so laid and assessed shall be collected by the borough collector of the tax of the said borough, who shall have the same power and authority for the collection of the same as are conferred by law on collectors of township rates and levies.

SECTION 3. That the burgess and town council on complaint to them made by any such owner or occupiers, are hereby authorized to make any abatement from or alteration in said tax so

Authorized to  
levy a tax.

Proviso

May discrimi-  
nate.

Abatement.

to be laid and assessed as aforesaid, at any time prior to the payment of the same to the collector.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 169.

# AN ACT

To change the place of holding the township and general elections in Fairmount township, in Luzerne county.

WHEREAS, It has become impossible to hold the next general and township elections in the township of Fairmount, in the county of Luzerne, at the house where the same have been formerly held, in consequence of the refusal of the owner thereof to permit the same to be held as heretofore :

*And whereas,* The court of quarter sessions of said county will not hold a session before the approaching township election in said township, and no change of the place of holding said election can be made in time ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the place of holding the general and township elections for the township of Fairmount, in the county of Luzerne, be changed and held at the North Centre school house, in said township.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 170.

## A SUPPLEMENT

To an act to incorporate the Lumberville Delaware Bridge Company, approved the seventh day of April, Anno Domini one thousand eight hundred and thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the eleventh section of the act to which this is a supplement, as exempts persons going to or returning from church from the payment of toll, be and the same is hereby declared to apply to the first day of the week, commonly called Sunday, and that said exemption shall not extend to any other day of the week.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 171.

## AN ACT

To confirm the sale of certain real estate in the Twenty-third ward of the city of Philadelphia.

Preamble.

WHEREAS, Peter Keen Ashton, Edmund J. Yard and Joseph Ashton, executors of the will of Joseph Ashton, senior, late of the county of Philadelphia, deceased, by indenture dated the twenty-third day of May, Anno Domini one thousand eight hundred and fifty-three, granted, sold and conveyed to Thomas Shallcross, in fee simple, the tract or parcel of land situate and lying in Delaware township, now in the Twenty-third ward of the city of Philadelphia, in the county of Philadelphia, beginning at a corner of land formerly of Jacob Triesley, since of Elizabeth Triesley, in the middle of Hopkins Ferry road, thence by said land the three next following courses and distances, to wit: south forty-seven degrees and a half, west fifty-nine perches and two-tenths of a perch, north fifty-six degrees and three



quarters, west fourteen perches and two-tenths of a perch, and south thirty-six degrees and three quarters, west nineteen perches to a corner; thence by land formerly of Ann Johnson, now or late of Michael H. Carman, north forty degrees, west thirty-nine perches and nineteen hundredths of a perch to a corner; thence by a thirty feet wide lane, laid out and left open by the said Ann Johnson, north forty-nine degrees, east eighty perches and twenty-four hundredths of a perch to a corner in the middle of Hopkins Ferry road aforesaid, and thence along the middle of said road, south forty-two degrees and a half, east forty-seven perches and seventy-nine hundredths of a perch to the place of beginning, containing twenty-three acres and six perches, be the same more or less, said premises having been sold and conveyed under and by virtue of a power and authority contained in said will, as by reference to said will registered in the proper office in Philadelphia, in Will Book number fifteen, page six hundred and sixty, et cetera, and to said indenture recorded at Philadelphia in Deed Book T H, number seventy-eight, page four hundred and fifty-nine, et cetera, will fully appear:

*And whereas*, The said Thomas Shallcross and wife, by indenture dated the twenty-third day of May, Anno Domini one thousand eight hundred and fifty-three, recorded at Philadelphia in Deed Book T H, number seventy-eight, page four hundred and sixty-two, et cetera, granted and conveyed said premises to said Peter Keen Ashton, in fee simple.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title of the said Peter Keen Ashton, and of his heirs and assigns, in and to the tract or parcel of land above described, with the appurtenances, shall in nowise be impeached, denied, questioned or invalidated or impaired by reason of said Peter Keen Ashton having been an executor as aforesaid, but the said purchase by and conveyance to him, and the title to said tract or parcel of land shall be and remain firm, stable and indefeasible to the said Peter Keen Ashton and to his heirs and assigns as though he had never been an executor as aforesaid: *Provided*, That the orphans' court of Philadelphia county, upon petition therein to be filed, will be satisfied that said tract or parcel of land at the time of said sale by said executors, brought a fair or reasonable price, and that the purchase money arising from said sale has been fully accounted for, and the said court shall thereupon order and decree that the said title of said Peter Keen Ashton, and of his heirs and assigns, in and to said premises and the appurtenances, shall be and stand firm and indefeasible as in this act is provided.

Title confirmed  
to Peter Keen  
Ashton.

Proviso.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



## No. 172.

## A FURTHER SUPPLEMENT

To the act, entitled "An Act to incorporate the Philadelphia Typographical Society," passed May seventh, one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in addition to the powers conferred upon the said society by the act incorporating the same, they are hereby authorized to receive, have, hold and disburse funds to any amount not exceeding one hundred thousand dollars, for the erection of an asylum or retreat for superannuated printers, widows and orphans of deceased printers, or for the relief of such destitute persons aforesaid, in such manner as the board of managers hereinafter provided for may deem expedient.

May receive  
money for a cer-  
tain purpose.

Officers

SECTION 2. That all moneys contributed to the said fund shall be subject to the control and direction of a board of managers to be elected by the members and associate or honorary members of said society, in the manner hereinafter provided, which board shall elect from their number a president, secretary and treasurer, and have power to elect all officers necessary and proper for the government of the said retreat or asylum, to define their duties, compensation and term of service, and determine all matters and things necessary to the good order and management of the same, or of the proper management of said fund, and also for the removal of any of said officers for misconduct or incompetency.

Election of  
officers.

SECTION 3. That the members and associate members of the said society shall, at a convention to be held after the passage of this law, proceed to elect a board of managers of the said fund for the purposes aforesaid, which said board shall consist of fifteen persons, six of whom shall be chosen from among the members of the Philadelphia typographical society, and nine from among the associate or honorary members of the said society, which said board shall divide themselves into three classes of equal numbers; two persons of each class to consist of members of the Philadelphia typographical society aforesaid, and three to consist of associate members of said society. The seats of the first class shall be vacated in one year, the seats of the second class in two years, and the seats of the third class in three years, so that one-third of the whole number of managers may be chosen by the members and associate or honorary members in convention assembled, annually, in all following years, two from among the members of the Philadelphia typographical society, and three from among the associate or honorary members aforesaid. The said managers of the retreat or fund shall have power by vote, which shall be recorded upon their journal, to vacate the seat of any member habitually absent from the

To be classified.

meetings of the board: *Provided*, Due notice and sixty days' time be given to the party for the correction of the evil; upon such vacancy or vacancies, by death, resignation or otherwise occurring, the said board of managers shall supply the same, and for the same term of service. Vacancies.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART, .  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 173.

## AN ACT

Authorizing the Somerset and Johnstown Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Somerset and Johnstown plank road company, after a meeting called by the managers and the consent of the stockholders obtained, be and the same is hereby authorized to borrow money, not exceeding in amount twenty thousand dollars, for a period not exceeding ten years, for the payment of the existing debts of the company for repairing and completing their road, and to issue their bonds therefor, convertible into the capital stock of the company at the will of the holder or holders, bearing interest at a rate not exceeding seven per centum per annum, payable half yearly, and to secure the payment of the principal and interest of the money so borrowed by a mortgage or mortgages on all the property of the company: *Provided*, That no bond shall be issued for a less sum than one hundred dollars. May borrow money.

SECTION 2. That the mortgage to be given to secure the payment of the money so to be borrowed, as provided in the first section of this act, shall be executed and given to a trustee, and in case of the failure, for a period of sixty days, to pay the interest on the money so to be borrowed payable half yearly at the time and times fixed for payment of such said interest on and at the request of the holders, the one-fourth of the amount of such said bonds so issued to such said trustee, he shall and is hereby authorized and required within sixty days after such said request, to sell all the property of the company so mortgaged for the best price which can be gotten for the same, and with Mortgage.

and out of the proceeds of such said sale pay any interest due and the amount of money so borrowed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 174.

# AN ACT

To authorize the Allentown Water Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Allentown water company be and they are hereby authorized, on the credit of the said company, to borrow any sum or sums of money not exceeding twenty thousand dollars, at a rate of interest not exceeding six per centum per annum, to be applied towards the improvement of the works and property of the said company.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 175.

## AN ACT

Relative to Schools in the boroughs of Cannonsburg and Washington, in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Washington district, Washington county, be and they are hereby authorized and required to appoint the treasurer of the said county collector of the taxes they may levy for school purposes, and the treasurer aforesaid shall collect them as state and county taxes are by law collected in said county. Treasurer to be appointed

SECTION 2. That the directors aforesaid may require the said treasurer to give bond to be approved by them, in a sum not exceeding double the amount to be collected in one year, for the collection and payment to their order such sum or sums as he may receive, after deducting for his fees a per centum equal to that paid him for collecting and disbursing county tax. Bond.

SECTION 3. That an election shall be held in the borough of Cannonsburg, in the county of Washington, on Friday the twenty-fourth day of April, one thousand eight hundred and fifty-seven, for the purpose of electing six qualified citizens to serve as school directors for said borough, said election to be conducted and regulated in the manner directed by an act for the regulation and continuance of a system of education by common schools, of which ten days' notice shall be given by the constable of said borough of the time and place of holding said election, by not less than six written or printed handbills posted in the most public places in said borough. Election of school directors.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 176.

## AN ACT

Supplementary to an act, approved March the seventeenth, Anno Domini one thousand eight hundred and forty-five, incorporating the Springhouse and Sumneytown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the president and managers of the Springhouse and Sumneytown turnpike road company to demand and receive from every person or persons traveling with a sleigh or sled over the said turnpike road, the same rate of toll per mile for each animal drawing the same, as the company is now authorized by law to demand and receive from those persons traveling over the said road with any other vehicle.

Tolls.

Construction.

SECTION 2. That the word "places," in the sixteenth line after the word "or," in the twelfth section of the aforesaid act, be stricken out, and in lieu thereof the word "houses" be inserted.

Repeal.

SECTION 3. That so much of any act of assembly heretofore passed, as conflicts with the provisions of this act, is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 177.

## AN ACT

To authorize the Lancaster and Marietta Turnpike Road Company to change the location of their road, at and near Shirk's ore bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lancaster and Marietta turnpike road company be and it is hereby authorized to change the location of their road at and near the ore bank of John Shirk, sufficient to render travel safe, and

the powers or authority of said company to take and collect tolls as heretofore, shall in no way be impaired by reason of said change of location.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 178.

## A N A C T

To incorporate the Dreshertown and Horshamville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alfred Philips, Charles Paxson, William C. Palmer, Lukens Paul, Charles R. Roberts, Thomas Tradell, Samuel Gray, Charles Unruh, William P. Lukens, George Mann and Lukens Paxson, of Montgomery county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Dreshertown and Horshamville turnpike road company, with power to construct a turnpike road, commencing at a point on the Limekiln turnpike road at or near Dreshertown, in the county of Montgomery, and thence by the most practicable route to a point on the Doylestown and Willowgrove turnpike road, at or near Horshamville, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That said company shall have power to erect gates and collect tolls on said road when two or more miles are completed.

SECTION 2. That the capital stock of said company shall consist of two hundred shares, at twenty-five dollars per share: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as in their opinion may be necessary to complete the road, and to carry out the true intent and meaning of this act.



Limitation.

SECTION 3. That if said company shall not commence the construction of their road within three years, and complete the same within five years from the passage of this act, it shall be null and void, except so far as the same may be necessary to settle up the affairs of said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 179.

## A SUPPLEMENT

To an act incorporating the American Life Insurance and Trust Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions, privileges and restrictions of the second and third sections of an act, entitled "An act incorporating the Western insurance company of the city of Pittsburg, in the county of Allegheny," approved the twentieth day of March, Anno Domini one thousand eight hundred and forty-nine, be and the same are hereby extended to the American life insurance and trust company: *Provided,* That said company shall not be authorized to invest or employ their capital stock or other moneys in the purchase or discount of or advance upon promissory notes, bills of exchange, or other negotiable paper.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 180.

## AN ACT

Relative to tolls on the Delaware Division of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act of the twentieth of April, one thousand eight hundred and forty-six, entitled "An act authorizing the construction of an out-let lock on the Delaware division of the Pennsylvania canal, be and the same is hereby repealed, and that the board of canal commissioners be and they are hereby authorized to impose such a rate of toll on all freight passing through said out-let lock, as in their opinion may be best adapted to increase the revenues of the commonwealth.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fi ty-seven.

JAS. POLLOCK.

No. 181.

## AN ACT

Re-enacting the thirteenth section of an act relative to Public Roads in Mifflin<sup>s</sup> county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirteenth section of an act, entitled "An act relative to public roads in Mifflin county, and for other purposes," approved the fifth day of April, one thousand eight hundred and forty-nine, be and the same is hereby re-enacted so far as relates to Oliver township, Mifflin county.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 182.

## A SUPPLEMENT

To an act to provide for the erection of a house for the support and employment of the poor in the county of Beaver, approved the twenty-ninth day of March, A. D. one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor and of the house of employment for the county of Beaver, be and they are hereby authorized and empowered to sell, either at public or private sale, for the highest price that can be obtained, all that messuage or tract of land situate at the mouth of Raccoon creek, in said county, and now held in the name and for the use of the corporation mentioned in the third section of the act to which this is a supplement, and on which the poor of said county are now supported and employed, and by deed duly executed to grant and convey the same to the purchaser or purchasers thereof in fee simple; the proceeds of said sale, or so much as may be necessary, to be applied by said directors to the purchase of such other real estate as they may deem necessary for the employment and accommodation of the poor of Beaver county, in a more suitable and convenient location, and to the erection of suitable buildings thereon: *Provided,* Said sale shall be approved by the orphans' court of said county.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 183.

## AN ACT

Authorizing the laying out of a State Road from the Emlinton bridge, in Venango county, to Butler, in Butler county, and to vacate a certain turnpike road in said counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

from and after the passage of this act the turnpike road leading from the west end of the Emlinton bridge, in the county of Venango, to Butler, in Butler county, be and the same is hereby vacated, and the act authorizing the incorporation of a company to construct said road be and the same is hereby repealed. Road vacated.

SECTION 2. That David Scott, Henry Kuhn and Samuel Anderson are hereby appointed commissioners to view and lay out a state road from the west end of the Emlinton bridge, in Venango county, by the way of North Washington and Boydesville, to the borough of Butler, in Butler county, with power to use so much of the Butler and Emlinton turnpike road as in their judgment they may deem necessary. Commissioners.

SECTION 3. That it shall be the duty of the said commissioners, or a majority of them, after having taken an oath or affirmation before a justice of the peace (who shall file and preserve the same in his office) to perform all the duties required by this act with impartiality, carefully to view the ground and lay out the said road, having respect to the best ground and shortest distance, so as best to promote the public good and do the least injury to private property. Duties.

SECTION 4. That it shall be the duty of the said commissioners to appoint some fit person to act as surveyor at two dollars per day, two chain carriers and one axeman at one dollar and twenty-five cents per day each, and for fulfilling the duties enjoined by this act, the said commissioners shall be allowed the sum of one dollar and fifty cents per day each, for every day they may be necessarily employed in performing the duties of their appointment; but should David Scott act as surveyor in addition to his duties as commissioner, then he shall be allowed the sum of fifty cents in addition to his per diem allowance as commissioner. Surveyor, &c.

SECTION 5. That the said commissioners, surveyor, chain carriers and axeman shall be paid by the county of Butler, as other accounts against said county are paid. Pay.

SECTION 6. That the said commissioners shall proceed as soon as practicable to complete the location of said road, and if any vacancy should occur in said board by death, resignation or otherwise, the same shall be supplied by the remaining commissioners selecting a suitable person to fill such vacancy. Vacancies.

SECTION 7. That the said commissioners shall plainly and distinctly mark and lay out the said road, or any part thereof, on the bed of any road or part of a road heretofore laid out by authority of law. Location.

SECTION 8. That it shall be the duty of the surveyor to make a fair and accurate draft of the location of said road, noting thereon the courses and distances with reference to the improvements, one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first day of December next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said day, and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened to the width of forty feet, and repaired in all respects as other roads are opened and repaired. Drafts.

SECTION 9. That it shall be the duty of the supervisors and road masters of the several townships through which the said Opening of road.

road may pass, to apply at least one-half the tax assessed for road purposes on property lying within one mile on each side of said road, to the opening and repairing of said road, each year, until the same is opened out and in good condition.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 184.

# AN ACT

Authorizing the Commissioners of Beaver county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Beaver county be and they are hereby authorized to borrow any sum of money not exceeding fifteen thousand dollars, at a rate of interest not to exceed seven per centum per annum, to be applied to the completion of the new county prison now being erected in the borough of Beaver, and county aforesaid.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 185.

## A SUPPLEMENT

To an act to reduce the expenses of collecting Taxes in the counties of Washington and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the constables of the several townships and boroughs of the counties of Washington and Greene, are hereby authorized to add five per cent. to the amount charged to each person in the schedule of delinquent tax payers, as delivered to them by the county treasurer, which shall be collected and retained by said constables as compensation, in addition to the fees now allowed by law.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 186.

## A N A C T

Fixing the time of meeting of Township Auditors in the county of Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township auditors of the several townships of the county of Warren, shall hereafter meet annually on the first Tuesday of February, and oftener if necessary, and shall audit, settle and adjust the accounts of the treasurer, commissioners of roads, and such other township officers as may by law be referred to them: and may issue to a constable any process which they may now by law issue to a sheriff.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred fifty-seven. JAS. POLLOCK.



## No. 187.

## A SUPPLEMENT

To an act to legalize the election of Auditors in the borough of Williamsport, Lycoming county, approved April twenty-second, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditors in the borough of Williamsport shall have the same power and authority to obtain the attendance before them of parties and witnesses, and the production of books and papers, and to administer oaths and affirmations as are by law given to county auditors.

Authorities conferred.

Certain accounts to be settled annually.

SECTION 2. The auditors aforesaid shall settle annually the accounts of the town council and overseers of the poor in April of each year, and the accounts of school directors in June, and shall publish a statement of the same in one or more newspapers of said borough, for which expense they are authorized to draw an order on the borough treasurer.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

## No. 188.

## AN ACT

To increase the daily pay of the County Commissioners and County Auditors of Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the daily pay of the county commissioners and county auditors of Cambria county shall be two dollars, in lieu of the daily compensation now allowed them by law: *Provided, That* when the commissioners of said county shall be absent from the county seat attending to the business of

the county, they shall each receive one dollar in addition to their daily pay mentioned as aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 189.

# AN ACT

Authorizing the Treasurer of Lancaster county to refund certain militia fines.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of Lancaster county be hereby authorized to refund to Joseph S. Denlinger, late collector of taxes for West Hempfield township, Lancaster county, the sum of forty-eight dollars and fifty cents, to be deducted from any moneys in his hands not paid over to the state treasurer belonging to the militia tax.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 190.

# AN ACT

Relative to the Records in the Treasurer's office of Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Records to be  
copied.

the county treasurer of Cambria county be and he is hereby authorized and empowered to transcribe into suitable books or dockets, to be procured for the purpose, in a neat and legible style, all the official records now in his possession, or in any wise pertaining to his said office of county treasurer, and that for said transcribing the said officer shall receive a just and fair compensation from the county commissioners of Cambria county, as may be agreed upon between them.

Compensation

Copies made evi-  
dence.

SECTION 2. That from and after the passage of this act, in case any of the said records shall become lost, or so defaced as to be illegible, the said records, transcribed as aforesaid, shall be as competent evidence in any court of justice of this commonwealth as their originals now are or have ever been, to all intents and purposes and as fully as if the same had never been transcribed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 191.

## AN ACT

Repealing an act regulating Fishing in the Big Sewickly creek, and its tributaries, in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of the twentieth day of April, one thousand eight hundred and fifty-four, regulating fishing in Big Sewickly creek, and its tributaries, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 192.

## A N A C T

Regulating the Manner of Voting at the general election in the counties of Wayne and Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the qualified electors of Wayne and Schuylkill counties to vote at their general elections for governor, canal commissioner, surveyor general, auditor general, member or members of congress, senators and members of the general assembly, upon one slip or ticket, and all county officers, including the judges of the court of common pleas also upon one separate slip or ticket: *Provided,* That the office for which every candidate is voted for shall be designated as required by the existing laws of this commonwealth: *And provided further,* That the state and county tickets shall each be so folded as to conceal the names of the persons voted for, and on the outside of the state ticket shall be written or printed the words, "State officers," and on the outside of the county ticket shall also be written or printed the words, "County officers."

SECTION 2. That any fraud committed by any persons voting in the manner aforesaid, shall be punished as similar frauds are punished by the existing laws of this commonwealth.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 193.

## A N A C T

To authorize the sale of certain property of the Union Bridge Company in Mifflin and Huntingdon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Charles Bower, Elijah Morrison, John B. Smelker and Benjamin Morton, of Mifflin county; Samuel Rorer, Thomas A. Smelker, Samuel H. Bell and Oliver Etinire, of Huntingdon county, or a majority of them, are hereby vested with full power and authority to sell at public sale all the property belonging to the corporation of the Union bridge company, in Mifflin and Huntingdon counties, of what kind soever, consisting of the site or right of way, abutments and piers, and apply the proceeds to the payment of the claims against the said corporation: *Provided*, That thirty days' notice in one newspaper printed in Mifflin county, and one newspaper printed in Huntingdon county, and at least five advertisements put up in the neighborhood of the premises at least ten days prior to the day of sale.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 194.

## AN ACT

Authorizing the Commissioners of Huntingdon county to exonerate Joseph Miller from the payment of certain taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the county commissioners of the county of Huntingdon are hereby authorized and empowered to settle with Joseph Miller, collector of Shirley township, in said county, for militia fines not collected by him for the year expiring on the first Monday in December, Anno Domini one thousand eight hundred and fifty-six, and to make such exonerations to him, if any, as they may deem just and right, in as full and complete a manner as they could have done if he had presented his claim for such exonerations prior to the first Monday of December, Anno Domini one thousand eight hundred and fifty-six.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 195.

## A N A C T

Relative to the re-location of a part of the Indiana and Armstrong Turnpike.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Edward Page, Robert H. Armstrong and John Oliver, of Indiana county, be and they are hereby appointed commissioners to change, alter and re-locate, at its present width, that part of the Indiana and Armstrong turnpike road running from the eastern end of the bridge across Crooked creek, near Shelocta, eastwardly not exceeding one hundred rods, and also that part of said road running from the western end of said bridge westwardly not exceeding one hundred rods, and also that part of the said road running through the farm of Abner Kelly, in Armstrong township, Indiana county, between the line of the borough of Shelocta, in said county of Indiana, and the line of lands of the heirs of John Thompson, deceased, in said township of Armstrong.

SECTION 2. That the supervisors of Armstrong township, in said county, shall immediately upon receiving notice from said commissioners of the change and re-location aforesaid, open the said road and thereafter keep the same in repair in the same manner as other parts of said road within the said township.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 196.

## A N A C T

To vacate certain streets in the Twenty-third ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



Streets in Hunting Park vacated. such parts of all streets laid out upon the plan of the unincorporated Northern Liberties, now in the Twenty-third ward of the city of Philadelphia, but not opened, as extend over and upon the tract of land recently presented to the said city of Philadelphia, and designated the Hunting Park, be and the same are hereby vacated.

Nicetown lane vacated. SECTION 2. That Nicetown lane, from the north side of Roxborough street to the east side of Broad street, in said Twenty-third ward, be and the same is hereby vacated, and the soil thereof vested in the respective owners, on each side, to the middle thereof; and Thirteenth street, from the north side of Roxborough street northward to the south side of Cayuga street, as laid out upon said plan, but not opened, be also vacated; and Roxborough street, as laid out upon said plan of the width of fifty feet be and the same is hereby widened five feet on each side, making the whole width thereof sixty feet from Broad street eastward to Nicetown lane: *Provided*, That said Roxborough street shall be opened for public use between said Broad street and and Nicetown lane, before the portion of Nicetown lane hereby vacated shall be actually closed up.

Roxborough street widened.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

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No. 197.

## A SUPPLEMENT

To the act to exempt property to the value of three hundred dollars from levy and sale on executions and distress for rent, approved the ninth day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter it shall be lawful for the sheriff, deputy-sheriff or constable of any county or township, to administer the oath or affirmation required to be administered to appraisers under the act to which this is a supplement.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 198.

## A SUPPLEMENT

To an act for the preservation of Game in York, Montgomery and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the limitation of time in the act of assembly, entitled "An act for the preservation of game in York, Montgomery and Lancaster counties," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five, shall extend, so far as the counties of York and Lancaster are concerned, from the first day of January to the first day of October in each and every year, and that the provisions of this act shall also extend to the killing or destroying of woodcock.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 199.

## AN ACT

Relative to the defalcation of A. A. Douglass, late Collector of Tolls at Hollidaysburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer and auditor general are hereby authorized to receive in payment of any balance that may be due the commonwealth from the sureties of A. A. Douglass, certificates of the loans of the commonwealth of Pennsylvania at par, if paid within three months after the passage of this act: *Provided,* That nothing herein contained shall in any way conflict with the act for the relief of John Hoge, deceased, passed the eleventh day of April, one thousand eight hundred and fifty-six.

Amount due, how  
to be paid.

Interest exoner-  
ated.

SECTION 2. That the state treasurer and auditor general are hereby authorized and required in the adjustment of said account, to exonerate said sureties from any interest from the time of the discovery of the defalcation of A. A. Douglass, until the time of payment specified in the first section of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 200.

## A SUPPLEMENT

To an act to provide for the election of Prothonotaries, Clerks, Records and Registers, approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified electors of the county of Lebanon, at their next general election which entitles them by existing laws to elect prothonotary and clerk of the oyer and terminer, register of wills and recorder of deeds, clerk of the orphans' court and court of quarter sessions, and at every election tri-ennially thereafter shall elect one person to fill the offices of prothonotary and clerk of oyer and terminer, one person to fill the offices of clerk of the court of quarter sessions and recorder of deeds, one person to fill the office of register of wills, and one person to fill the office of clerk of the orphans' court.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 201.

## AN ACT

To alter the time of holding the Courts of Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third term of the court of common pleas and of the other courts in the county of Chester, shall commence on the second Monday in August, in each year, instead of the last Monday in July, as now fixed by law, and shall continue for two weeks if the business of said court shall require it.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 202.

## AN ACT

To repeal an act to straighten part of a street in the borough of West Pittsburg, approved the eighteenth day of February, A. D. one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to straighten part of a street in the borough of West Pittsburg, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 203.

## AN ACT

Relative to the Coroner of Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An act relative to the coroners of Berks and Lancaster counties," approved the eighth day of February, one thousand eight hundred and forty-eight, be and the same are hereby extended to the county of Chester.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 204.

## AN ACT

To prevent the hunting of Deer with dogs in the county of Clarion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall not be lawful for any person or persons in the county of Clarion, to hunt, hound or chase, with any dogs, dog or bitch, with design to kill or destroy, any deer, buck, doe or fawn within said county, at any season of the year, or if any person shall entice any dog or dogs as aforesaid with the like design, he or they on being convicted thereof shall forfeit and pay for every such offence a sum not exceeding twenty dollars, nor less than five dollars, to be sued for and recovered with costs before any justice of the peace in the name of the commonwealth, at the instance of any person who will sue therefor, who is hereby made a competent witness, as debts of like amount are now by law recoverable, one-half of said penalty or fine shall be paid to the informer, and the other half to be paid into the county treasury: Provided, That this*

act shall not be so construed as to prohibit the hunting or catching with dogs of deer that have been previously wounded.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 205.

## AN ACT

Relating to the recovery of Ground Rents in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all actions for the recovery of ground rents to an amount not exceeding one hundred dollars, in the court of common pleas of the city and county of Philadelphia, costs may be recovered as in other cases. Costs allowed.

SECTION 2. That in all actions hereafter brought for the recovery of ground rents in the city and county of Philadelphia, judgment may be entered as in cases of suits upon mortgages in said city and county: *Provided, That* the plaintiff shall file a statement in said court referring to the book and page of the recorder's office where the ground rent deed upon which suit is brought is recorded; and if said ground rent has been assigned, said plaintiff shall also file a statement referring in like manner to where said assignment or assignments are recorded, which said recording shall be recited in the precept and summons, together with the names of the parties to said deed or deeds, then said plaintiff shall be entitled to judgment without filing copies or a declaration as in cases of actions upon mortgages. Judgment, how entered.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 206.

## FURTHER SUPPLEMENT

To the act incorporating the Monongahela Navigation Company, approved March thirty-first, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the construction of sufficient locks and dams to extend the slack-water on the Monongahela river from the Pennsylvania state line to Morgantown, in Monongalia county, Virginia, shall have been commenced, it shall be the duty of the Monongahela navigation company to commence the construction of lock and dam number seven, in such manner and on such plan as will extend the navigation from its present terminus to the Virginia state line, and complete the same simultaneously with the completion of the work extending to Morgantown; that so much of all acts heretofore passed as have reference to the time of completion of said improvement to the Virginia state line be and the same are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

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207.

## AN ACT

To repeal the eleventh section of an act, entitled "An act to incorporate Bustleton and Holmesburg Turnpike Road Company," and for other purposes, approved the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eleventh section of the act, entitled "An act to incorporate

the Bustleton and Holmesburg turnpike road company," and for other purposes, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 208.

# AN ACT

Relative to Road Taxes in the township of Corydon, Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth section of the act, entitled "An act relative to road taxes," &c., approved the eighteenth day of April, one thousand eight hundred and fifty-three, be and the same is hereby repealed so far as the same relates to the township of Corydon.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 209.

# AN ACT

Relating to Hawkers and Pedlers in Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the provisions of the act, entitled "An Act relating to hawkers and pedlers in the counties of Lehigh, Dauphin, Sullivan, Wyoming and Berks," approved the twentieth day of April, one thousand eight hundred and fifty-four, be and the same is hereby extended to the county of Susquehanna.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 210.

# AN ACT

To Prevent Fishing at certain seasons of the year in Mountain lake, in the township of Burlington, county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall not be lawful for any person or persons to fish in Mountain lake, in Bradford county, with seines or nets, nor shall it be lawful to fish in said lake with hook and line, from the first day of August until the first day of May, and any person or persons offending against any or either of the provisions of this section, shall be subject to payment of a fine not exceeding ten dollars, to be recoverable as debts of like amount are now by law recoverable, one-half of such fine shall be given to the informer, the other half to the treasurer of common schools, to be by him applied to the support of the common schools of the township of Burlington.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 211.

## AN ACT

Relative to the Taxing of Dogs in certain townships in the counties of Chester and York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act laying a tax on dogs in the borough of West Chester, and certain townships in the county of Chester, and for other purposes," approved the fourteenth day of April, one thousand eight hundred and forty-six, be and the same is hereby extended to the township of Pennsbury, East Nottingham, and boroughs of Oxford and Hopewell, county of Chester, and to Peachbottom township, in the county of York.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 212.

## AN ACT

To authorize John Sparhawk, Trustee of Eliza A. Campbell, to Re-convey Certain Property; and to Annul the Trust heretofore made to him.

WHEREAS, Robert H. Campbell and Eliza A. Campbell, his wife, by a certain deed of trust, dated the thirtieth day of May, one thousand eight hundred and fifty-three, recorded at Philadelphia, in deed book R D W, number twenty-four, page two hundred and ninety-four, granted and conveyed to said John Sparhawk, certain estate therein specified, to hold the same upon the trusts in said deed specified and set forth, giving amongst other things the right to said Eliza A. Campbell to dispose of the same by will :

*And whereas,* The said Eliza A. Campbell and Robert H. Campbell have desired that said trust shall be annulled, and the pro-

perty thereby conveyed re-transferred to said Eliza A. Campbell as though said trust had never been made; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Sparhawk, trustee of said Eliza A. Campbell and Robert H. Campbell, be and he is hereby authorized and empowered to re-convey to the said Eliza A. Campbell, her heirs and assigns, all the estate real and personal conveyed by the said Robert H. Campbell and Eliza A. Campbell, his wife, in trust by a certain indenture, dated the thirtieth day of May, one thousand eight hundred and fifty-three, and recorded in the office for recording deeds, et cetera, in the city and county of Philadelphia, in deed book R D W, number twenty-four, page two hundred and ninety-four, and now held in trust by virtue thereof, fully and absolutely discharged from the trusts, limitations, uses, purposes and conditions of the aforesaid deed or indenture, so that the said Eliza A. Campbell may hold the same to herself, free, clear and discharged from the trusts, limitations, uses, purposes and conditions therein expressed and set forth, and as though the said deed or indenture of trust had never been made, and that said trusts and every of them in said deed set forth be absolutely annulled.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 213.

## AN ACT

Authorizing the Auditor General to Settle the Accounts of the Clerks of the Senate and House of Representatives, for Diagrams ordered by the Two Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and he hereby is authorized and required to settle the accounts of the clerk of the Senate and clerk of the House of Representatives, for diagrams ordered by the two houses

at the present session, and the state treasurer is hereby authorized and required to pay the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 214.

A N A C T

Relative to the Last Will and Testament of James Franklin Alexander

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the last will and testament of James Franklin Alexander, deceased, a minor under the age of twenty-one years, late of Glade township, Warren county, be and the same is hereby declared to be as good and valid in law or equity as the same would have been had the said James Franklin Alexander been of full age and competent to make a will, and that said will shall be admitted to probate, and in all respects be held good and valid in law.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 215.

## A SUPPLEMENT

To the act, entitled "An Act to incorporate the Mount Moriah Cemetery Association of Philadelphia," passed the twenty-seventh day of March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mount Moriah cemetery association of Philadelphia be and is hereby authorized to purchase lands adjoining the present cemetery, not exceeding one hundred and fifty acres, to be held, used, occupied, sold and disposed of by the said association, their successors and assigns, for the purposes and under the provisions of the present charter of incorporation of said association.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 216.

## AN ACT

To enable William Soby, Trustee for the Union Presbyterian Church of the Northern Liberties, to Re-convey a certain Lot of Ground.

WHEREAS, The Union Sabbath school association of the Northern Liberties, in the county of Philadelphia, by authority of resolutions passed at a regular stated meeting of said association, held at the usual place December seventh, one thousand eight hundred and fifty-two, did make a conveyance of a certain messuage and lot or piece of ground situated on the easterly side of Dunton street, in the district of Kensington, and county of Philadelphia, unto William Soby, in trust for the members of the Union Presbyterian church of the Northern Liberties, as therein expressed, dated December twenty-second, in the year one thousand eight hundred and fifty-two, and recorded at Philadelphia,

December twenty-eighth, one thousand eight hundred and fifty-two, in deed book T H, number fifty-four, page four hundred and thirty-three, et cetera :

*And whereas*, To wit, the said Union Presbyterian church of the Northern Liberties, by resolutions duly passed, dated November fourteenth, one thousand eight hundred and fifty-five, to wit :

*Resolved*, That William Soby be and hereby is authorized to deed back to the Union Sabbath school association of the Northern Liberties, the property in Kensington, held in trust by him for the Sabbath school association of the Union Presbyterian church :

*And whereas*, The said Union Presbyterian church having since became disbanded and ceased to exist, and there being doubts about the authority of William Soby, trustee, having power to re-convey, and in order to make valid said re-conveyance to the said Union Sabbath school association of the Northern Liberties, and that the same may be invested again in said association freed from said trust,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said William Soby, trustee, be and is hereby fully authorized to grant and re-convey unto the Union Sabbath school association of the Northern Liberties, the said lot or piece of ground, situate on the easterly side of Dunton street, in the late district of Kensington, and that the said grantees shall have full power to hold the same in fee, in the same manner and form as was held by them prior to said conveyance to William Soby, in trust ; and the said William Soby, his heirs or administrators so conveying, are hereby fully confirmed and made valid in law.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 217.

## AN ACT

To authorize the Patenting of Out-Tracts, and In and Out-Lots in the towns Erie, Waterford, Warren, Beaver and Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That

**Appraisement.** the commissioners of Venango county be and they are hereby authorized and required to appraise the out-tracts adjoining the borough of Franklin, in said county, in the manner now provided for the appraisement of other lands in this commonwealth, and that the surveyor general be authorized to issue a patent or patents therefor on the same terms that patents are now issued for other lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek.

**Patents.** SECTION 2. That the time for patenting the in-lots and out-lots in the towns of Erie and Waterford, in Erie county, Warren, in Warren county, Beaver, in Beaver county, and Franklin, in Venango county, authorized to be appraised by the fifth section of the act of assembly, entitled "An Act empowering the burgess and town council of the borough of Erie to borrow money, and supply the said borough with water," passed the thirteenth day of April, Anno Domini one thousand eight hundred and thirty-eight, be and the same hereby is extended to the first day of December, Anno Domini one thousand eight hundred and fifty-seven, and upon payment being made according to the provisions of said act, by any person who is bona fide the owner of any of said lots, with the legal fees, patents shall issue to such owner, although there may have been no original sale by the commonwealth of such lot or lots: *Provided*, That in such case the whole amount of the appraisement made pursuant to the act aforesaid, shall be paid before the issuing of such patent or patents.

**Time for patenting certain lots extended.**

**Patents to issue**

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 218.

## A SUPPLEMENT

To an act relative to the Lehigh and Luzerne Railroad Company, approved the twelfth day of February, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the Lehigh and Luzerne railroad company shall hereafter be the Lehigh Luzerne railroad company, and the annual meetings of said company shall be held on the second Tuesday of January.

**Name changed.**

SECTION 2. That the said Lehigh Luzerne railroad company <sup>May pay interest</sup> are hereby authorized to pay to their shareholders interest at a rate not exceeding six per cent. per annum, on all instalments paid in, and continue to pay the same until the tunnel and eight miles of their road shall have been completed; all the profits and earnings of said railroad, within the same time, shall be credited, and all interest paid shall be charged to the cost of construction: *Provided*, That the stock of said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 219.

## AN ACT

To incorporate the Equinunk Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel C. Scudder, Joseph S. Bates, Aaron A. Scudder, Hiram Wooster and Aldridge W. Matthews, of Wayne county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of the Equinunk bridge company, for the purpose of erecting a bridge across the river Delaware, at or near the village of Equinunk, Manchester township, Wayne county.

SECTION 2. That the capital stock of said company shall be ten thousand dollars, to be divided into shares of twenty-five dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge.

SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 220.

## AN ACT

Authorizing the qualified voters of the townships of Blooming Grove and Lehman, in the county of Pike, and Stroud township, in the county of Monroe, to elect additional Supervisors of Roads and Highways for said townships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the qualified voters of the township of Blooming Grove, in the county of Pike, and Stroud township, in the county of Monroe, annually to elect three supervisors of roads and highways for said townships, at the time and place now fixed by law for the election of supervisors.

Three supervi-  
sors

Four supervisors.

SECTION 2. That from and after the passage of this act it shall be lawful for the qualified voters of Lehman township, in said county of Pike, annually to elect four supervisors of roads and highways in and for said township.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

We do certify that the bill, entitled "An act authorizing the qualified voters of the townships of Blooming Grove and Lehman, in the county of Pike, and Stroud township, in the county of Monroe, to elect additional supervisors of roads and highways for said townships, was presented to the governor on the twenty-fifth day of March, one thousand eight hundred and fifty-seven, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,  
*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,  
*Clerk of the Senate.*

HARRISBURG, April 14, 1857.



No. 221.

## AN ACT

Authorizing Amos R. Boughter to Change a certain Trust.

WHEREAS, Simeon Guilford and wife, by their indenture of the thirty-first of January, Anno Domini one thousand eight hundred and fifty-four, recorded in the office for recording deeds for Lebanon county, in deed book L, page seven hundred and forty-seven, et cetera, did grant and convey unto Amos R. Boughter certain real estate therein particularly described, in trust nevertheless, to and for the use, benefit and behoof of Simeon Guilford, John Krause, Levi Kline, John Weidman and Jefferson Shirk :

*And whereas*, Leonard Fasnacht, and wife, by their indenture of the first of April, Anno Domini one thousand eight hundred and fifty-four, did grant and convey certain real estate to the said Amos R. Boughter, in trust as aforesaid :

*And whereas*, Charles Greenawalt, and wife, by their indenture of the thirty-first of January, Anno Domini one thousand eight hundred and fifty-four, recorded in the office for recording deeds for Lebanon county, in deed book L, page seven hundred and fifty, et cetera, did grant certain real estate to the said Amos R. Boughter, in trust as aforesaid :

*And whereas*, William Moore Guilford, by his indenture of the fourth of November, Anno Domini one thousand eight hundred and fifty-four, recorded in the office for recording deeds for Lebanon county, in deed book M, page three hundred and one, et cetera, did grant and convey certain real estate to the said Amos R. Boughter, in trust as aforesaid :

*And whereas*, John Krause, and wife, Jefferson Shirk, and wife, Simeon Guilford, and wife, Levi Kline, and wife, by their indenture of the thirty-first day of January, Anno Domini one thousand eight hundred and fifty-four, recorded in the office aforesaid, in deed book L, page seven hundred and forty-five, et cetera, did grant and convey certain real estate to the said Amos R. Boughter, in trust as aforesaid :

*And whereas*, George M. Dewees, by his indenture of the first of April, one thousand eight hundred and fifty-four, recorded in said office, in deed book M, page one hundred and fifty-five, et cetera, did grant and convey certain real estate unto the said Amos R. Boughter, in trust as aforesaid :

*And whereas*, The said Guilford, Krause, Kline, Weidman and Shirk, entered into articles of co-partnership, dated the thirty-first day of January, Anno Domini one thousand eight hundred and fifty-four, recorded in said office, in miscellaneous book D, page sixty-one, et cetera, under the name, style and firm of the Dudley iron company, and since then have erected on part of the said premises one blast furnace, and other buildings and machinery for smelting iron ore :

*And whereas*, The said John Krause, by his indenture of the twelfth day of June, Anno Domini one thousand eight hundred



fifty-four, recorded in said office, in deed book M, page two hundred and seventeen, et cetera, did grant and convey (inter alia) all that his right, title, interest, claim and demand, of, in and to the lands, tenements and furnace of the said Dudley iron company, unto Amelia Mish, wife of John W. Mish, his daughter and only child, to hold to her during life, and after her death to her child or children, in fee simple, subject to certain rights and privileges, in favor of Elizabeth, the wife of the said John Krause:

*And whereas*, The said John W. Mish, and Amelia his wife, and John Krause, and Elizabeth, his wife, are desirous that the estate of Amelia Mish and her child or children, in the said Dudley iron company, should be sold, and the proceeds arising from such sale should be re-invested for the same uses and purposes and the same trusts; and therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Amos R. Boughter, of the borough of Lebanon, trustee as aforesaid, be and he is hereby authorized and empowered to sell, either at public or private sale, the estate of the said Amelia Mish, and her child or children, and of the said Elizabeth Krause, in the said Dudley iron company, with the appurtenances, and execute, make and deliver to the purchaser thereof, a deed or indenture, conveying the same in fee simple, freed and discharged from the said trusts, and that the proceeds of such sale be re-invested in the purchase of a certain tract of land, with the appurtenances, situate in South Lebanon township, in the county of Lebanon aforesaid, adjoining lands of the heirs of Jacob Arndt, deceased, John Shay, Adam Ritscher and others, containing seventy acres, be the same more or less, now the property of of the said John Krause, upon the same trusts, uses and purposes as the same was held in the said Dudley iron company: *Provided*, That the orphans' court of said county shall first approve of such sale and re-investment.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 222.

## SUPPLEMENT

To an act to incorporate the Johnstown Water and Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next annual election of officers for said company, and annually thereafter, there shall be elected five managers, who shall choose one of their number as president of said company, and shall appoint a secretary and treasurer, who shall give bond with such security as the said managers may approve, and in case any vacancy shall take place in the board of officers of said company, such vacancy shall be filled by the managers thereof until the next general election of officers, hereby ratifying and confirming the action of the managers in filling vacancies that have heretofore taken place. Officers

SECTION 2. That in case the stockholders shall fail or neglect to hold their annual election on the day named in the act of incorporation, the old officers shall continue to serve until a new election is held; two weeks' notice of all elections by the stockholders shall be given by hand bills, or in one or more newspapers. Officers to hold over.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 223.

## A FURTHER SUPPLEMENT

To an act to incorporate the Beaver Meadow Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Beaver Meadow railroad and coal company be and it is hereby authorized and empowered to extend its railroad into Hazel town. May extend road

ship, Luzerne county, and into Rush and Union townships, Schuylkill county.

And purchase  
lateral roads.

SECTION 2. That the said company be and it is hereby authorized and empowered, by and with the consent of the owners thereof, to purchase the lateral railroads now made connecting with the Beaver Meadow railroad leading to coal mines, and to make lateral railroads to other coal mines as may be required: *Provided*, That no such laterals shall exceed ten miles in length: *Provided further*, That the said company shall have all the rights, powers and privileges, and be subject to all the restrictions and provisions of the ninth section of an act, entitled "An act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Proviso.

And increase  
capital.

SECTION 3. That for the purpose of enabling said company to extend its railroad, and to stock the same, and to purchase and build said lateral roads, it shall and may be lawful for the said company to increase its capital stock by the issue of twenty thousand shares thereof, at the par value of fifty dollars per share, and to sell and dispose of the same as required.

Tax on tonnage.

SECTION 4. That the legislature hereby reserves the right to impose such tax upon tonnage upon the lateral road or roads authorized by this act to be purchased or constructed, not exceeding three mills per ton per mile, as may in the discretion of the legislature be deemed sufficient to protect the interests of the commonwealth.

Working of lateral  
roads.

SECTION 5. That the several lateral railroads to be constructed or purchased by the said Beaver Meadow railroad and coal company, by virtue of this act, shall be constructed and managed with the rights and privileges and under the regulations and restrictions of the charter of said company, and the several supplements thereto.

Reservation.

SECTION 6. The legislature hereby reserves the right to alter or amend this supplement whenever they may regard the same to be required by the public interests; in such manner, however, that no injustice shall be done to the said Beaver Meadow railroad and coal company.

Repeal.

SECTION 7. That all laws or parts of laws heretofore passed in reference to the Beaver Meadow railroad and coal company, inconsistent with the provisions of this act, be and the same are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 224.

## A SUPPLEMENT

To an act relating to the Support and Employment of the Poor, approved the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the courts of quarter sessions in the several counties of this commonwealth shall have power to hear, determine and make orders and decrees, in all cases arising under the twenty-eighth section of the act of thirteenth June, one thousand eight hundred and thirty-six, either upon the petition of the overseers of the poor, or of any other person or persons having an interest in the support of said poor person or persons, and either with or without an order of relief having been first obtained.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 225.

## AN ACT

To Confirm and Make Good and Valid the Township Elections last held in the townships of Nelson and Osceola, in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the last township elections held in the townships of Osceola and Nelson, in the county of Tioga, be and they are hereby declared good and valid elections, and all the official acts of the officers then elected be and they are hereby declared legal and valid.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 226.

## AN ACT

Changing the Time of Holding the Spring Elections in Green township,  
Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time of holding the township election in Green township, Indiana county, be and the same is hereby altered and changed to the second Friday in February, in each year, at which time the said election shall be held.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 227.

## SUPPLEMENT

To the act incorporating the Philadelphia Board of Trade, approved the nineteenth day of March, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, entitled "An act to incorporate the Philadelphia board of trade," approved the nineteenth day of March, one thousand eight hundred and thirty-eight, be and the same is hereby amended so as to change the name of the board of directors to the executive council, and to allow the said board of trade to enlarge its organization by additional vice presidents and members of executive council, and by the addition of branch societies, composed of members of the several branches of trade, who shall be members of the board of trade, which branch societies may have the privilege, under the rules made by the board of trade, to elect delegates to the executive council, and generally*



to do such acts as will promote the objects of this association, as set forth in the law aforesaid.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 228.

## AN ACT

To incorporate the Marietta and Maytown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That Stephen F. Eagle, Henry Honscal, John J. Libbart, Henry S. Engle, James Mehaffey, Charles Kelley and John W. Clark, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Marietta and Maytown turnpike road company, with power to construct a turnpike road from the borough of Marietta to Centre square, in the village of Maytown, East Donegal township, Lancaster county, upon the bed of the present road from Marietta to Maytown, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of the said company shall consist of two hundred shares, at twenty-five dollars a share: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as in their opinion may be deemed necessary to comple the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That whenever the said company shall have completed their road from Marietta to Maytown, as provided in the first section of this act, they shall have power to erect toll-gates and receive tolls.

SECTION 4. That the said company may at any time within six years after the completion of their road, extend the same to the borough of Elizabethtown, Lancaster county, upon the bed of the present road.



Limitation.

SECTION 5. That if said company shall not commence the construction of the said road within three years from the passage of this act, and complete the same within five years thereafter, then this act shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of the company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 229.

## AN ACT

To incorporate the Franconia Turnpike Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Benjamin Johnson, Jesse Ziegler, Daniel Jacoby, Enos Benner, Jacob Snyder, Peter Smith, Isaac A. Kratz, Samuel K. Smith, John Nice, Daniel Gerhart, Jacob Wambold, Samuel Gehman, Abraham Woodward, Jacob Gerhart, Christian Souder, Samuel Bergey, Jacob Bergey, Abraham Gerhart, John Gerhart, Ezra Wiedner, Jacob Souder, Isaac Gerhart, John Swartzlander, Aaron Hendricks, William Hartzell, Samuel Benner, Samuel Detweiler, Joseph Horning, Gideon Appleseller, Abraham Reiff, Joseph Bergey, William Weil, George Miller, Andrew Swartz, Jesse Slotterer and Henry Snyder, of Bucks and Montgomery counties, or any five of them, are hereby appointed commissioners to open books and receive subscriptions and organize a company, by the name, style and title of the Franconia turnpike company, with power to construct a road commencing at the intersection of the county line road, between Bucks and Montgomery counties, with the Bethlehem turnpike, about two and a half miles above Line Lexington; thence north-westerly along said county line to the cross-roads at John Gerhart's corner; thence westerly through the township of Franconia, in the county of Montgomery, to the Springhouse and Sunnyside turnpike road, at or near its intersection with the North Branch of Perkiomen, in the township of Lower Salford, in said county, with full authority to construct the same on the beds of public roads, and to alter or change the same as may be deemed advisable, subject to all the provisions

Style.

Route.

Subject to.

and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of four hundred shares, at twenty-five dollars per share: *Capital.* *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That whenever the said company shall have completed one mile or more of said road, they shall have power to erect a toll-gate and receive tolls, agreeably to the conditions and restrictions of the aforesaid act, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine: *Tolls.* *Provided however,* That the said company may charge and collect toll on carts and wagons, at the rate of one cent per mile for each horse drawing the same, and that for each fraction of a cent in the computation of toll, the said company may charge and collect one cent.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 230.

## AN ACT

Relating to Notaries Public in Carbon and Wayne counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled "An Act to enable the governor to appoint notaries public, and for other purposes therein named," approved the fourteenth day of April, one thousand eight hundred and forty, as renders or may be construed to render justices of the peace ineligible to the office of notary public, shall not be construed to apply to the counties of Carbon and Wayne; and the commission of any justice who may have heretofore been appointed a notary public in said county, shall be good and valid in law as though the above mentioned act had never been passed:

*Provided, They shall not have jurisdiction in cases arising on paper by them protested.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 231.

## AN ACT

To Prevent Animals Running at Large in Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to prevent animals running at large in Warren and Crawford counties," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby extended to Erie county.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 232.

## AN ACT

Authorizing the Commissioners of Erie county to aid the Girard Union Agricultural Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

it shall be lawful for the commissioners of the county of Erie, if they shall deem it expedient, to pay annually on or before the first day of October, in each and every year, to the treasurer of the Girard Union agricultural society, the sum of one hundred dollars, out of any money in the county treasury not otherwise appropriated, so long as said society shall continue to hold an annual fair for the encouragement of agriculture and the mechanic arts.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 233.

## AN ACT

To incorporate the Westmoreland County Normal School and Academy Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and hereby is established in the village of New Derry, Derry township, Westmoreland county, a public school or seminary for the education of young persons, by the name, style and title of the Westmoreland County Normal school and academy, under the care and direction of nine trustees, who and their successors in office shall be and are hereby declared to be one body politic and corporate in deed and in law, and by the aforesaid name, style and title shall have perpetual succession, and shall be capable in law to sue and be sued, to have a common seal, and the same to alter and renew at pleasure, and shall be capable to take, hold and purchase for the use of said institution, lands, goods, chattels and moneys of any kind whatsoever, by gift, grant, conveyance, devise or bequest, from any person or persons whomsoever, capable of making the same, and the same from time to time to sell, convey, mortgage or dispose of for the use of said academy, and to erect such buildings and improvements as may be necessary, and generally to do all and singular the matters and things which it may be lawful for them to do for the well being of the said normal school and academy, and the due management and ordering the affairs thereof: *Provided*, That the estate, real and personal, of said institution, shall not exceed the sum of ten thousand dollars.

School estab-  
lished.  
Name.  
Trustees.  
Powers.  
Proviso.

Trustees appointed

SECTION 2. That until trustees for said corporation shall be elected by the stockholders, in manner hereinafter provided, William Gilson, Jos. Welsh, Silas A. Riggs, Samuel M. Bell, Armstrong Jamison, Thomas Gilson, Joseph Guthrie, David Burrell and James Fulton, shall be and hereby are authorized to serve as trustees of said corporation.

Election

SECTION 3. That an election of trustees shall be held at some suitable place in the village of New Derry, on the first Monday in June, in each year, at five o'clock P. M., and continue open until seven o'clock P. M., the said election to be conducted by the managers to be appointed by the trustees then acting as such; the said election to be by ballot, and every single share of stock shall entitle the holder to one vote, five shares to two votes, and ten shares to three votes: *Provided however*, That no person shall be entitled to more than three votes.

Votes.

Power of board of trustees.

SECTION 4. The board of trustees shall have power to fill vacancies, to elect a president, treasurer and secretary, who shall be members of the board; they shall have power to enact such by-laws as may be necessary, not inconsistent with the constitution and laws of the United States, or the constitution and laws of the commonwealth; a majority of said trustees shall constitute a quorum for the transaction of business; the said trustees to receive subscriptions in sums not less than fifty dollars, and issue certificates of stock, under the seal of the corporation, each certificate to represent the sum of fifty dollars of said subscription; the money so received to be expended in the purchase of real estate, the erection of buildings, the purchase of books, philosophical apparatus and other property necessary for the use of the said normal school and academy; and the said trustees may lease or hire (if they deem it expedient) the real and personal estate of said corporation to a competent teacher or teachers, and receive and collect rent and compensation for the use of such real and personal estate, and the same divide ratably among the stockholders, after first deducting all necessary charges and expenses for repairs, taxes and the due management of the affairs of said corporation.

Exemption.

SECTION 5. That the property of the said corporation devoted to and used for educational purposes, be and it is hereby exempted from all taxation, except for state purposes: *Provided*, That the valuation thereof by assessment do not exceed the sum of ten thousand dollars.

Examination and degrees.

SECTION 6. That at the close of each session of said normal school and academy, it shall be the duty of the trustees, with the assistance of the teacher and others selected by the trustees, to hold an examination, and immediately at the close of the examination to grant certificates, in the form of diplomas, setting forth the attainments of the scholar in the arts and sciences, to be granted only by a majority of the trustees and other examiners present, and to be signed by the president, principal teacher and secretary.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 234.

## AN ACT

To Extend to the County of Schuylkill the Provisions of an act, entitled "An Act to enable Joint Tenants, Tenants in Common and Adjoining Owners of Mineral Lands in this Commonwealth, to manage and develop the same."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the provisions of the act of the twenty-first day of April, one thousand eight hundred and fifty-four, and the supplements thereto, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this commonwealth to manage and develop the same," shall be and the same are hereby extended to the county of Schuylkill.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 235.

## AN ACT

Authorizing the School Directors of Hyde Park borough, Luzerne county, to Sell certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Hyde Park, in the county of Luzerne, be and they are hereby authorized to sell at public or private sale, all that certain lot of land situate in the borough of Hyde Park aforesaid, bounded and described as follows, to wit: on the north and west by lands in possession of John Gorseline, on the east by Main street, and on the south by lands of New-man Brown, it being a part of the same lot deeded to the Hyde Park school district, by the trustees of the Proprietors' school fund of the township of Providence, together with the building thereon,



and to make, execute and deliver to the purchaser or purchasers a good and sufficient deed in fee simple, clear of all incumbrances, and to apply the proceeds of said sale first to the payment of the costs of sale, then to the purchase of a lot of ground within said district, and the balance to be applied to the erection of a school house in said lot so purchased by the directors, to be held by them and their successors in office, for the use of the school of the said borough of Hyde Parke forever: *Provided*, That the sale herein authorized shall be first approved by the orphans' court of the county of Luzerne.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 236.

## AN ACT

To Repeal the First, Second and Third Sections of an act, approved the second day of May, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the first, second and third sections of an act relative to the Susquehanna canal company, and authorizing the Pittsburg and Steubenville railroad company to borrow money; making an appropriation to the Eastern penitentiary; relative to the estate of Charles H. Ball; to the sale of certain real estate, and to an election district in Columbia county, approved the second day of May, one thousand eight hundred and fifty-three, be and the same are hereby repealed: *Provided*, That nothing herein contained shall interfere with any proceedings pending in reference to said dam.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 237.

## AN ACT

Authorizing the Canal Commissioners to make a Deed to Samuel F. Dale, for property sold to him on the French Creek Division, Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel F. Dale be and he hereby is released from the payment of his bid for the out-let lock and dam, lock-house and lot and privileges thereto belonging, on the French Creek division of Pennsylvania canal; and the board of canal commissioners are hereby authorized to make and deliver a deed to the said Samuel F. Dale, in accordance with the provisions of the act of assembly, approved the ninth day of April, Anno Domini one thousand eight hundred and forty-nine, which deed when so made and delivered shall be in full for all damages sustained by the said Samuel F. Dale, by the construction and abandonment of said canal.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 238.

## AN ACT

To Prevent the Destruction of Fish in the Allegheny river and its tributaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Fishing prohibited. *from and after the first day of May next, it shall not be lawful for any person or persons to catch any fish in the Allegheny river or its tributaries, within the counties of Venango and Butler, with any seine or seines, net or nets, exceeding fifteen feet in length, for five years.*

Penalty.

SECTION 2. That any person offending against the provisions of this act, shall on conviction thereof pay a fine of fifty dollars, with all costs, for the first offence, and one hundred dollars, with like costs, for every subsequent offence, to be recovered by suit in the name of the commonwealth, before any justice of the peace or alderman having jurisdiction over the place where such offence has been committed, one-half of such fine or judgment to be for the use of the person who shall prosecute for the same, and the other half for the use of the common schools of the township where such offence shall have been committed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 239.

## AN ACT

To Prevent the Destruction of Grey Squirrels in Cumberland county.

Prohibition.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons, in the county of Cumberland, to shoot or otherwise kill or destroy any grey squirrel, between the first day January and the first of September, in each and every year.

Penalty.

SECTION 2. That any person or persons offending against the provisions of the foregoing section of this act, shall forfeit and pay the sum or fine of five dollars for every such offence, with all costs and charges, the same to be recovered before any justice of the peace for the said county of Cumberland, as debts of a similar amount are by law recoverable, the one-half of the said fine to be for the use of the informer, who is hereby made a competent witness, and the other half to go to the directors of the poor of the said county, for the use of the said poor.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 240.

## AN ACT

To Prevent the Killing of Wild Game in Oliver township, Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to prevent the killing of wild game in certain townships in the counties of Juniata, Mifflin and Perry," approved the eighteenth day of April, one thousand eight hundred and fifty-six, be and the same are hereby extended to the township of Oliver, in the county of Mifflin.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 241.

## AN ACT

For the Relief of Priscilla Cooper.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and are hereby authorized to examine the claim of Priscilla Cooper, of Chester county, and report to the legislature what amount of damages, if any, has been sustained by her, arising from a collision with a locomotive engine on the Philadelphia and Columbia railroad.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 242.

## AN ACT

Relative to the Collection of Water Rents in the City of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of assembly, approved the twentieth day of February, A. D. one thousand eight hundred and fifty-seven, entitled "An Act to authorize the select and common councils of the city of Pittsburg to assess water rents," be and the same are hereby extended to the select and common councils of the city of Allegheny.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 243.

## A FURTHER SUPPLEMENT

To an act Regulating the Assessment and Collection of Township Taxes in the counties of Bradford, Tioga and Potter, and fixing the manner of Re-viewing and Confirming Roads, approved the thirteenth day of March, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases where any public road in the county of Bradford, excepting state roads now opened, or which shall be hereafter laid out or opened, is or shall be partly in two adjoining townships, it shall be the duty of the road commissioners of such townships, upon the application in writing, signed by ten or more citizens of either or both of said townships, to view such road, and to change or vacate the whole or any part thereof, whenever in their judgment the same shall have become inconvenient or burdensome; and the said commissioners shall furnish the town clerks of each of the townships in which parts*

of the said road so changed or vacated shall be, with a return of their action in the premises, in the same manner as they are now required to make report in the case of laying out roads.

SECTION 2. That in case any difficulty shall arise between any two or more boards of commissioners, in regard to changing or vacating any continuous road or highway through different townships, or on the line between two townships, and they cannot agree on the same, either board shall have the right to call upon the road commissioners of two adjoining townships, whose duty it shall be to go upon the ground, and if after due examination they shall deem a change or vacation of the whole or part of said road right and proper, they shall make return of their proceedings in the manner mentioned in the preceding section; and the action of said commissioners shall be as valid as if said road had been changed or vacated by the commissioners of the townships in which the same was opened; the said commissioners shall receive one dollar per day each for their services while thus employed, to be paid by the respective townships through which said road passes.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 244.

## AN ACT

To Further Amend the Road Laws of Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso of the ninth section of an act, entitled "An Act to amend the road laws of Erie county," approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and forty-six, be and the same is hereby repealed, and it is hereby enacted that the jurors summoned by the justice, may be rejected by the road commissioners, or the person or persons by whom the suit is brought, up to the number of four, if they can show that the juror or jurors are interested in the event of the suit, but not otherwise; the justice before whom the suit is brought shall judge of the eligibility of the juror or jurors.

Repeal

Selection of  
jurors.



**May vacate road.** SECTION 2. That the road commissioners, or any two of them, shall have power to alter, vacate or lay out a new road, whenever they shall deem the same necessary: *Provided*, That any person or persons being aggrieved, shall have redress as is heretofore provided: *Provided*, That whenever it may be necessary, the said road commissioners shall have power to levy and assess, in money, upon all property and things now taxable for county purposes, in the proper township, a special road tax not exceeding one per centum, to defray the expense of repairing or building new bridges; the said tax to be collected and accounted for as is now provided by law.

**Road tax.**

**Opening of roads.**

SECTION 3. That the said road commissioners shall have power to lay out all private as well as public roads, and any person or persons being aggrieved, may have redress as is now provided by law: *Provided*, That it shall be the duty of the county commissioners to procure a book or books, in which shall be recorded all public and private roads; and the road commissioners of every township are hereby authorized and required to procure two copies of the surveys of all roads both public and private, one copy of which shall be forwarded to the county commissioners' office, and one copy to the town clerk of the township in which the road is laid, and the same shall be recorded by them within twenty days thereafter, and no road shall be considered valid, unless recorded within the twenty days; and the township auditors shall settle with the town clerk, and allow him one dollar per day for each day necessarily employed in recording roads.

**County bridges.**

SECTION 4. When and where a bridge has once been declared a county bridge, it shall be kept in repair and rebuilt, when necessary, by the county, without an application to the court for that purpose.

**Repeal.**

SECTION 5. All acts and parts of acts inconsistent herewith, be and the same are hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 245.

## AN ACT

To appoint Commissioners to View, Lay Out and Construct a State Road in Lancaster and Chester counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Robert Baldwin, of Lancaster county, Evan Jones and Abraham W. Turner, of Chester county, are hereby appointed commissioners to view, lay out and construct a state road from the intersection of the Churchtown and Old Lancaster roads, in Lancaster county, via Compassville and Parkesburg to Cochranville, in Chester county. Commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with impartiality and fidelity, carefully to view the ground over which the said road may pass, and lay out the same as near to a straight line between the aforesaid points as the nature of the ground and other important circumstances will permit. Their duties.

SECTION 3. That it shall be the duty of the commissioners to have due regard to the expenses of the townships, to damages of private property, and to all other circumstances affecting the route, so that by a judicious combination of them the route finally adopted may best promote the public good; and for the purpose of fulfilling the duties of this act enjoined, the commissioners are hereby authorized to employ two chain bearers, one axeman and one staff bearer, at a per diem allowance not exceeding one dollar for each person so employed. Location. Officers and their pay.

SECTION 4. That it shall be the duty of the commissioners to plainly and distinctly mark the ground agreed upon for said road, and employ a surveyor who shall make out a fair and accurate draft of the location of the road, noting thereon the courses and distances, streams, townships and county lines, one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first day of September next, one copy in the offices of the clerks of the court of quarter sessions of the respective counties aforesaid, and from the date of such filing the said road shall be a public highway, and shall be repaired as all other roads are repaired by the counties aforesaid, the width thereof shall be forty feet. Marking of route. Drafts.

SECTION 5. That the compensation of said commissioners shall be two dollars per diem each, for every day necessarily employed by virtue of this act, and the accounts of said commissioners for their own pay and the pay of their hands aforesaid, shall be adjusted and allowed by the commissioners of Lancaster and Chester counties, in proportion to the distance run in said counties, and paid by the treasurers thereof, by warrants drawn in the usual way; and if any vacancy shall happen in the board of commissioners, by resignation or otherwise, the remaining two shall be authorized to fill the vacancy by a suitable appointment. Pay.

SECTION 6. That it shall be the duty of said commissioners to cause the said road to be opened and put in condition for easy traveling, and the expenses thereof shall be paid by the townships wherein the work is done; and the accounts of said commissioners for the construction of said road shall be settled in the same manner as the accounts of supervisors are now settled by the respective townships interested in the same. Road to be opened.

SECTION 7. That said commissioners shall have authority by this act to lay out any part of said road on the bed of any other road, or part of a road, heretofore constructed or laid out by au- May use other roads.

thority of law, and said commissioners shall have power to vacate any road or parts of a road that may be supplied or rendered useless by the location of the road authorized by this act; the commissioners shall meet on or before the first day of May next, and locate and complete said road as soon thereafter as possible.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 246.

## AN ACT

To Repeal the Eighteenth Section of an act authorizing the laying out of a State Road from Morgan's mill, in Beaver county, to West Middletown, in Washington county, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighteenth section of an act authorizing the laying out of a state road from Morgan's mill, in Beaver county, to West Middletown, in Washington county, and for other purposes, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-three, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 247.

## AN ACT

Relating to the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several provisions of the act to incorporate the Pennsylvania railroad company, approved the thirteenth day of April, one thousand eight hundred and forty-six, and the supplements thereto, be and the same are hereby extended for the term of ten years from the passage of this act; and all acts and things done by said company, or its agents, since the thirteenth day of April, one thousand eight hundred and fifty-six, are hereby ratified and confirmed, with the same force and effect as if the limitation in the twenty-fifth section of said original act of incorporation had never been imposed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 248.

## A SUPPLEMENT

To an act relating to the Lehigh Valley Railroad Company, approved the eighth day of March, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of the act, entitled "An Act relating to the Lehigh Valley railroad company," approved the eighth day of March, one thousand eight hundred and fifty-six, shall not be so construed as in any manner to impair the corporate rights and franchises of the Lehigh Valley railroad company: *Provided,* That nothing in this act shall be construed as in any way granting to said company any privileges conflicting with the act of

February nineteenth, one thousand eight hundred and forty-nine,  
entitled "An Act regulating railroad companies."

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 249.

# AN ACT

To authorize the Controllors of the Public Schools of the First School District of Pennsylvania, to allow a Compensation to the Secretaries of the Several Sectional Boards comprised in said district.

WHEREAS, The several secretaries of the school directors of the first school district of Pennsylvania have heretofore received an annual compensation for the services rendered by them to their respective sections, which said services are arduous as well as highly responsible ;

*And whereas,* Said compensation is now refused, and by reason thereof the services of competent secretaries are not likely to be secured to the said first school district ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the city councils, by ordinance, to provide for the payment of the secretaries of the several sections in the said first school district : *Provided,* That no more than fifty dollars per annum shall be appropriated or paid to each of said officers, and warrants therefor shall be drawn in such manner as by said ordinance may be directed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 250.

## AN ACT

To authorize the Board of School Directors of the borough of Providence, in Luzerne county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Providence borough district, in the borough of Providence, Luzerne county, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding two thousand dollars in the whole, at any rate of interest not exceeding six per centum per annum, for the purpose of completing a school house already commenced, and improving the grounds attached to the same in said district; and it shall and may be lawful for said board of directors to secure the payment of the money so borrowed, by bond and mortgage upon the real estate of said school district, or otherwise, as said directors may deem proper. Borrow money.

SECTION 2. That the said board of directors, and their successors in office, are hereby authorized and empowered to lay an increased taxation each and every year, as long as it may be necessary, over and above the limit of taxation for school purposes fixed by the present or any subsequent law, so as to raise the sum of five hundred dollars annually, to be specially pledged for the payment of the interest on said loan, and to provide a sinking fund for its eventual liquidation. And give mortgage. Levy tax.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 251.

## AN ACT

To authorize the Appointment of Notaries Public in the city of Pittsburgh, and also an additional Notary Public in the borough of Girard, Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and he is hereby authorized and empowered to appoint three additional notaries public for the commonwealth, to reside in the city of Pittsburgh, Allegheny county, and also one additional notary public to reside in the borough of Girard, in the county of Erie.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 252.

## AN ACT

Authorizing the Commissioners of Jefferson county to receive the Returns of the Collectors of School Tax for the year one thousand eight hundred and fifty-seven, and of all other Taxes for one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the commissioners of Jefferson county, and they are hereby required to receive at any time for six months after the passage of this act, from any collector of school taxes for school year Anno Domini one thousand eight hundred and fifty-seven, and from the collectors of other taxes for the year Anno Domini one thousand eight hundred and fifty-six, in said county, who has omitted to make a return of unseated or seated lands or lots, as now required by law, such lists of unseated or seated lands or lots, in the respective townships, wards or boroughs, upon which either the state, county, school, borough*

or road taxes for the years before mentioned, remain due and unpaid, to be received in like manner, and with the same force and effect, as if the same had been returned at the time prescribed by the act of one thousand eight hundred and fifty-six; and sales by the treasurer of said Jefferson county, if any of said lands or lots for said taxes (in whole or in part) which shall hereafter be made in all other particulars in conformity with the laws of this commonwealth, shall be as valid and effectual as if the said list of unseated lands or lots had been made within the time and in the ordinary manner: *Provided however*, That no sale shall be made of any such unseated lands or lots so returned as aforesaid, in pursuance with the provisions of this act, before the expiration of one year from the passage of the same.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 253.

## A SUPPLEMENT

To an act, entitled “An Act for the Relief of the Overseers of the Poor in the borough of Erie, and for other purposes,” approved the eighteenth day of April, one thousand eight hundred and forty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the twelfth, thirteenth and fourteenth sections of the act to which this is a supplement, relating to the manner of repairing the roads in Lower Oxford township, county of Chester, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

No. 254.

## AN ACT

To Establish the Boundary Line, and to change the name of certain Streets in the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the ordinance passed by the councils of the city of Allegheny, entitled "An Ordinance establishing the north line of Bank lane west from Ann street, and changing the name of South avenue," ordained and enacted February nineteen, one thousand eight hundred and fifty-seven, be and the same is hereby ratified and confirmed in all its sections, and the boundary lines of the streets, and the names thereof, as well as other things therein contained, shall be established, and hereby are established, as set forth in said ordinance.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 255.

## AN ACT

To incorporate the Yellow Creek and Pattonville Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.

Style

Route.

C. W. Aschom, Thomas King, Henry K. Strong, J. C. Everhart, William T. Daugherty, Gilliard Dock, R. W. Lowry, Thomas W. Horton, William M. Wiley, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Yellow Creek and Pattonville turnpike and plank road company, with power to construct a turnpike or plank road from a point near Yellow creek, on the Hopewell and Bloody Run plank road,

in Hopewell township, Bedford county, to Pattons ville, in Bedford county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, not inconsistent with the provisions of this act. Subject to.

SECTION 2. That the capital of the company shall consist of six hundred shares, of twenty-five dollars each: *Provided*, That the company may, from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as in their opinion may be required to complete the same. Capital.

SECTION 3. That the Huntingdon and Broad Top Mountain railroad company, and Hopewell coal and iron company, shall have power to subscribe to the stock of said company. Subscriptions.

SECTION 4. That if the said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within six years, this act shall be null and void, except so far as may be necessary to wind up the affairs of said company. Limitation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 256.

## AN ACT

Supplementary to the act incorporating the Erie and Wattsburg Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie and Wattsburg plank road company be and is hereby authorized and empowered to cover the plank of their said road with pounded stone or gravel, or other hard substance, in lieu of replanking the same, at such points as the president and managers of said company may deem advisable. Repair of road.

SECTION 2. That in case the president and managers of said plank road company cannot agree with the owner or owners of land contiguous to said road, for the materials necessary to cover the plank of their road, as provided for in the first section of this act, then and in that case the right of the company to enter upon Damage.

lands contiguous and near to the said plank road may from time to time be obtained by said company, under the provisions of the ninth section of the act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 257.

## AN ACT

To authorize the Burgess and Town Council of the borough of Saltsburg, Indiana county, to Release certain ground to the North-Western Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Saltsburg, Indiana county, be and they are hereby authorized to release and convey to the North-Western railroad company, a certain number of feet of ground on Market street, in the said borough of Saltsburg, that is to say, eighty feet of said street south-west of the centre line of the North-Western railroad, as now located and graded at that point: *Provided,* That any injury done to private property by the occupancy and use of the said ground, shall be compensated by the said railroad company by an assessment of damages, in the manner provided by law, which said damages, if any shall be found due, shall be liquidated and paid before the said railroad company shall occupy and use the said ground hereby authorized to be released and conveyed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 258.

## AN ACT

To Extend the Boundaries of the borough of Bellefonte.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all that part of the township of Spring, in the county of Centre, contained within the courses and distances following, to wit: Beginning at the north side of Lamb street at the north-east corner of the present plot of the borough of Bellefonte, in line of land of James Armor; thence along the division line between the farms of James Armor, and J. M. M'Coy, and James H. Linn, northward four hundred and eighty feet, or thereabouts, to a point that would be met by an extension of the northern line of an alley running parallel with Lamb street, and lately laid out on the land of said M'Coy and Linn; thence westwardly and along the north side of said alley to the eastern bank of the canal; thence along the eastern bank of the canal and canal dam to the north side of Lamb street; and thence along the north side of Lamb street to the place of beginning, be annexed to and constitute and be a part of the said borough of Bellefonte, and subject to the laws and regulations relative to the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 259.

## AN ACT

To authorize the Trustees of the Lancaster Cemetery to Sell Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



sale authorized. the trustees for the time being of the Lancaster cemetery, in the city of Lancaster, be and are hereby authorized to sell and dispose of, at public sale, all or any part of the real estate of the said cemetery, not included in the area devoted to burial purposes, and to sign, seal and deliver to the purchaser or purchasers thereof, a good and sufficient deed or deeds of conveyance of the same in fee simple.

Opening of  
streets, &c., pro-  
hibited.

SECTION 2. That no street, alley, road, canal or railway shall hereafter be laid out or opened through the land of the said cemetery devoted to purposes of sepulture, nor shall the same be taken or used for any other purpose whatever, unless by consent of the trustees of said cemetery.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 260.

## AN ACT

To Legitimate Sarah M. Morgan, of Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Sarah M. Morgan, illegitimate child of Samuel Morgan, deceased, be and is hereby legitimated, and shall have and enjoy all the rights and privileges of a child born in lawful wedlock, with the right to inherit and transmit any estate whatsoever.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 261.

## AN ACT

Entitled "A supplement to an act to incorporate an Association for the establishment of a House of Refuge for Western Pennsylvania, and relative to the Pennsylvania State Lunatic Hospital, approved the twenty-second day of April, A. D. one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the twenty-second day of April, one thousand eight hundred and fifty, entitled "An Act to secure the cities of Pittsburg and Allegheny, and the neighborhood thereof, by damage from gun-powder; to incorporate an association for the establishment of a house of refuge for western Pennsylvania; and relative to the Pennsylvania State lunatic asylum," is hereby so amended in its nineteenth section, as to include in the enactment and provision therein made, also such children received by the managers of the said house of refuge as may be convicted, or committed thereto agreeably to the provisions of the charter thereof, by any mayor, alderman or justice of the peace within the said Western district; and further, that the mayor of any city within the said Western district, shall have like authority with that given to aldermen and justices of the peace to commit to the custody of the managers of the said house of refuge, and that any commitment heretofore made by any mayor of any such city, is hereby legalized and made good.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 262.

## AN ACT

For the Relief of Malinda Brooks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the state treasurer is hereby authorized and required to pay to Malinda Brooks, of the township of Ohio, Allegheny county, widow of Charles Brooks, a soldier of the Revolutionary war, or to her order, a pension of forty dollars per annum during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-seven, and payable half-yearly thereafter, on the first day of January and July.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 263.

# AN ACT

Attaching a certain piece of Land of Abner Kelley, of Shelocta, to his village property, for the purposes of Taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That that part of the land of Abner Kelley, lying outside of the borough of Shelocta, in the county of Indiana, but adjoining his property in said borough, be hereafter taxed in connection with said property, and all the taxes thereon paid into the funds of said borough.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 264.

## AN ACT

Fixing place of holding Elections in Scranton, Luzerne county.

WHEREAS, In the progress of putting up buildings and machinery in the borough of Scranton, in Luzerne county, it became necessary to take down and remove the house where by law the elections were heretofore held, and as no court will be held in said county of Luzerne in time to fix a place for holding the ensuing spring elections; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election of officers for said borough, held at the Wyoming House, on the third Friday of March, one thousand eight hundred and fifty-seven, be and the same is hereby legalized, and all proceedings and acts of the burgess and council, and other officers of said borough, shall have the same force and validity as fully as though the foregoing section of this act had become a law prior to said election.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 265.

## A FURTHER SUPPLEMENT

To the act Consolidating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the list of taxable persons required by existing laws to be furnished to the officers of all general and municipal elections, and the list of taxable persons required to be posted in the several election divisions by the assessors, and the list of taxable persons required to be furnished to the various aldermen by the receiver

## LAWS OF PENNSYLVANIA,

of taxes, shall be that of the last assessment filed in the city commissioners' office previous to such general or municipal election by the assessors of the several wards.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 266.

AN ACT

Regulating Party Walls in the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no person or persons, builder or builders whatsoever, shall lay the foundation of any party wall within the city of Erie, before they have applied themselves to the surveyors or regulators to be appointed by the mayor, select and common councils of said city, who are hereby empowered to appoint three discreet and skillful persons for that purpose, one of whom shall be the city surveyor or engineer for the time being: *Provided,* That this act shall not extend to the erection of frame buildings.

Surveyors to be appointed.

Regulation of party walls.

SECTION 2. That the said regulators or surveyors, or any two of them, upon application to them made, shall have full power and authority to enter upon the land of any person or persons, in order to set out the foundation and regulate the walls to be built between party and party, as to the breadth or thickness thereof, which foundation shall be laid equally upon the lands of the persons between whom such party wall is to be made, and the first builders shall be reimbursed one moiety of the charge of such party wall, or for so much thereof as the next builder shall have occasion to make use of, before such next builder shall in any way use or break into the said wall, the charge or value thereof to be set by the said regulators at the time the second builder wishes to use or occupy the same.

Penalties.

SECTION 3. That if any person shall lay the foundation of any party wall, or of any wall adjoining or upon the line of any public street, lane or alley, within the said city, before the line and boundaries of the said lot or piece of land whereon the said foundations shall be so laid or begun to be laid, shall be adjusted and marked out, and the grade of the said street, lane or alley, and



the pavement thereof, be fixed by the said regulators, or any two of them, every such persons, owners, employer and master builder, shall forfeit the sum of twenty dollars, one-half thereof to the city, and one-half to the informer, together with costs.

SECTION 4. That in all conveyances of houses and buildings, the right to and compensation for the party wall built therewith shall be taken to have passed to the purchaser, unless otherwise expressed in the article or deed of conveyance, and the owner of the house for the time being shall have all the remedies in respect to such party wall as the original owner or first builder might have had. Rights of purchasers and owners.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 267.

## AN ACT

Declaring Otter run, in the county of Lycoming, and Lick run, in the county of Clinton, Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that part of a stream called Otter run, in the county of Lycoming, from its junction with Pine creek to the northern boundary line of a tract of land surveyed in pursuance of a warrant numbered one thousand six hundred and thirty-two, (1632) in the names of Heins and Fisher, be and the same is hereby declared a public highway. Otter Run.

SECTION 2. That Lick run, in the county of Clinton, be and the same is hereby declared to be a public highway. Lick Run.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 268.

## AN ACT

To Legitimate William Harrison Dressler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Harrison Dressler, son of Solomon G. and Sarah Dressler, of the county of Juniata, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever, as fully and effectually as if he had been born in lawful wedlock.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 269.

## AN ACT

Relating to the Treasurer of Pitt township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be the duty of the treasurer elected at the annual elections in Pitt township, Allegheny county, for township officers, to qualify himself for the duties of his office within thirty days from said election, by giving the requisite bond and sureties, and taking the oath of office, according to existing laws, and if he neglect or refuse to do so, it shall be lawful for the auditors of the township to appoint a treasurer in his stead, until the next annual election, taking sufficient bond and sureties; and the treasurer of said township shall, as heretofore, collect the township taxes upon the receipt of a proper warrant and duplicate for collection, and it shall be the duty of the auditors to cause such proper warrant and duplicate to be made and delivered to him

Treasurer to give bond.

And collect tax.

for that purpose; and the treasurer of the said township shall, at the annual settlement of the township accounts, and from time to time when reasonably requested by the auditors, settle up, *And pay over* account for and pay over, on orders of the auditors, the whole amount of collectable taxes on his duplicate for the preceding year.

SECTION 2. That when any person shall be re-elected township treasurer, and shall refuse or neglect to settle up as aforesaid, *Warrant may be refused* account for and pay over the amount of his duplicate for the preceding year or years, it shall be lawful for the auditors to refuse him their warrant and duplicate for collection, in which case they shall appoint some other suitable person for the collection of the taxes, taking bond and sureties as required by the existing laws.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 270.

## A SUPPLEMENT

To the act relative to the defalcation of Jacob M. Strickler, late Collector of Tolls at Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sureties of Jacob M. Strickler be released from any further claim upon their paying into the treasury of the commonwealth the sum of sixteen thousand dollars, in four equal annual payments; the first payment to be made in three months after the passage of this act, and the others yearly thereafter.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 271.

## AN ACT

To incorporate the Architectural Iron Works of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Wattson, Frederick Brown, John A. Gendell, John T. M'Innes, Edwin Hall, George R. Johnson, John Philbin, Thomas Goodwin and John B. Newberry, or a majority of them and their successors, be and they are hereby created and erected into a body corporate and politic, by the name, style and title of the Architectural iron works of Philadelphia, with a capital stock of two hundred and fifty thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, which stock shall be divided into shares of one hundred dollars each.

Corporators.

Style.

Capital.

Officers and their election.

SECTION 2. That the affairs of the said corporation shall be managed by a board of nine directors, who shall choose one of their number for president, the said board to be elected by the stockholders; the first election shall be held within six months from and after the passage of this act, of which election public notice shall be given at least two weeks in one or more newspapers published in the city of Philadelphia, and subsequent elections shall be held at such time and place annually as the directors shall determine, of which like notice shall be given; all elections shall be by ballot, and every share of stock shall entitle the holder thereof to one vote, in person or by proxy: *Provided*, That in case of failure to hold an election under this act, the existing directors shall continue in office until their successors shall be duly elected and qualified; and in the case of the death or resignation of any director, the remaining directors shall elect from among the stockholders a person to serve until the next annual election.

Proviso.

Powers and privileges.

SECTION 3. That this corporation shall have authority to hold and use a common seal, with such device and inscription as they shall deem proper, and the same to change, alter or amend at pleasure; and by the style and title aforesaid shall be capable in law to sue and be sued, plead and be impleaded in all suits; and said corporation is hereby authorized and empowered to make by-laws and rules, and do everything needful for the good government of its affairs: *Provided*, That the said by-laws and rules be not repugnant to the constitution and laws of the United States or of this state.

Lands and subscriptions.

SECTION 4. That the said corporation shall be able and capable in law to take, receive and hold, in fee simple or otherwise, or to lease lands or tenements, and may improve, sell, lease, mortgage or dispose of their interest in the same, or any part thereof, as they may deem expedient, and receive subscriptions to their capital stock in such property, or in personal property suited to

the business of the said company, in such form and manner as may by the directors be deemed expedient: *Provided*, That such lands shall not exceed in quantity fifty acres.

SECTION 5. That the said corporation shall use and employ Objects. their moneys and property in the manufacture and erection of iron buildings, or any part thereof, machinery and iron work generally, and transporting and vending the same, and for such other objects as may be necessary in the prosecution of said business.

SECTION 6. That the stock of said corporation may be trans- Transfer.ferred agreeably to the by-laws which may be adopted by the corporation.

SECTION 7. That dividends may be declared and paid whenever Dividends. the directors deem it advisable, but said dividends shall in no case exceed the actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation in their individual capacity for the excess so divided and paid.

SECTION 8. That the said corporation may issue bonds not ex- Issue bonds.ceeding fifty thousand dollars in amount, and sell the same at not less than their par value: *Provided*, That no bond shall be issued for a less amount than one thousand dollars.

SECTION 9. That the said corporation shall pay a bonus of one- Bonus.half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law.

SECTION 10. That this act shall continue in force for the term Limitation. of twenty years from the date of its approval, and no longer, unless extended by an act of the legislature: and the legislature reserves the right to amend, alter or repeal it at any time, in such manner, however, as shall do no injustice to the company or to any individual thereof: *Provided*, That this act shall not take effect until one thousand shares shall be subscribed and paid in.

SECTION 11. That the stockholders of said company shall be Liability jointly and severally liable in their individual capacities for all debts and contracts made by such company, to the amount remaining unpaid on the shares of stock held by them respectively, and also for all debts due to mechanics, workmen and laborers employed by said company, to be sued for, recovered and collected as is provided by the twelfth, thirteenth and fourteenth sections of an act to incorporate the Lackawanna coal and iron company, approved April fifth, Anno Domini eighteen hundred and fifty-three.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 272.

## AN ACT

To establish a Ferry over the Beaver river, at the village of Chewtown, Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Porter R. Friend and Company, their heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings or wharves, on the east and west sides of the Beaver river, at and near the village of Chewtown, in Wayne township, Lawrence county, on the east side, and in Big Beaver township, on the west side, and to use the river between the said landings as a public ferry.

Ferry authorized

Ferry to be kept in good order.

SECTION 2. That the said Porter R. Friend and Company, their heirs and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly as occasion may require, attend for the purpose of carrying passengers, teams and carriages across the river, with all reasonable diligence and care.

Tolls.

SECTION 3. That the said Peter R. Friend and Company, their heirs and assigns, as a remuneration for keeping up and in good repair the said ferry, shall receive such tolls for carrying persons, teams and carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Lawrence county, and may extend a rope or wire across the river, if they shall deem it advisable to facilitate crossing: *Provided*, That the rope or wire shall not be so extended as to interfere with or obstruct the ascending or descending navigation of said river, or in any way to interfere with or obstruct the navigation of the Erie extension of the Pennsylvania canal.

Proviso.

Penalty for injuries to works.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire or boats, or other property, or shall take from its mooring any craft or boat belonging to said ferry, he, she or they so offending shall each of them forfeit and pay to the said Porter R. Friend and Company, their heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Porter R. Friend and Company, their heirs and assigns, to be recovered as debts of like amount are recoverable.

Damages, how assessed.

SECTION 5. That the court of quarter sessions of Lawrence county be and is hereby authorized and empowered, upon the application of either of the parties, upon twenty days' notice given to the opposite party, to appoint three disinterested freeholders of the said county to view and assess the damages for any landing or landings that may be required and appropriated for the use of said ferry, and the said Porter R. Friend and Com-



pany shall, within sixty days after the award of the said appraisers shall be made, pay the amount of the award.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 273.

## AN ACT

Relating to fees of Aldermen, Justices of the Peace and Constables.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the fees to be received by aldermen and justices of the peace shall be as follows:

Fees of aldermen  
and justices of  
the peace.

For information or complaint on behalf of the commonwealth, for every ten words, one cent.

Docket entry of action on behalf of the commonwealth, ten cents.

Warrant or mittimus on behalf of the commonwealth, twenty-five cents.

Writing an examination or confession of defendant, for every ten words, one cent.

Administering oath or affirmation, three cents.

Taking recognizance, in every criminal case, twenty cents.

Transcript in criminal cases, including certificate, fifteen cents.

Returning the same to court, for each mile circular actually traveled, to be allowed in only one case at each session of the court, three cents.

Entering judgment on conviction for fine, ten cents.

Recording conviction, or copy thereof, for every ten words, one cent.

Warrant to levy fine or forfeiture, twenty cents.

Bail piece and return, or supersedeas, fifteen cents.

Discharge to jailor, fifteen cents.

Entering discontinuance in cases of assault and battery, twenty cents.

Entering complaint of master, mistress or apprentice, ten cents.

Notice to master, mistress or apprentice, fifteen cents.

Hearing parties and discharging complaint, twenty-five cents.

Holding inquisition under landlord and tenant act, or in case



of forcible entry, for each day, to each justice, one dollar and fifty cents.

Precept to sheriff for each justice, twenty-five cents.

Recording proceedings, to each justice, fifty-cents.

Writ of restitution, to each justice, twenty-five cents.

Warrant to appraise damages, twenty cents.

Warrant to sell strays, twenty cents.

Warrant to appraise swine, twenty cents.

Receiving and entering return of appraisement of swine, five cents.

Publishing proceeding of appraisers of swine, fifty cents.

Entering action in civil case, ten cents.

Summons, *capias* or *subpœna*, each ten cents.

For every additional name after the first, two cents.

All witnesses' names to be put in one *subpœna*, unless separate *subpœnas* be requested by the parties.

*Subpœna deces tecum*, fifteen cents.

Entering return of summons and qualifying constable, ten cents.

Entering *capias* and bail bond, five cents.

Every continuance of suit, ten cents.

Trial and judgment in case of defence made by defendant or defendants, twenty-five cents.

Entering judgment by confession, ten cents.

Investigating plaintiff's claim and entering judgment by default, fifteen cents.

Taking bail, ten cents.

Entering satisfaction to be charged, only when an actual entry is made on the docket, five cents.

Entering discontinuance, five cents.

Entering amicable suit, ten cents.

Entering rule to take depositions of witnesses, five cents.

Rule to take depositions, ten cents.

Interrogatories annexed to rules for taking depositions, for every ten words, one cent.

Entering return of rule, five cents.

Entering rule to refer, five cents.

Rule of reference, fifteen cents

Notice to each referee, five cents.

Entering report of referees and judgment thereon, ten cents.

Written notice to a party in any case, ten cents.

Execution, fifteen cents.

Entering return of execution, ten cents.

Scire facias in any case, twenty cents.

Opening judgment for rehearing, ten cents.

Transcript of judgment and certificate, twenty cents.

Return of proceedings, or *certiorari*, or appeal, including recognizance, forty cents.

Receiving the amount of a judgment before execution, and paying the same over, if not exceeding ten dollars, ten cents.

If exceeding ten, and not exceeding forty dollars, twenty-five cents.

If exceeding forty dollars, fifty cents.

Every search where no service is rendered, to which any fees are attached, ten cents.

Entering complaint in writing in case of attachment and swearing or affirming complainant, fifteen cents.

Attachment, twenty cents.

Entering return and appointing freeholders, ten cents.

Advertisements, each, fifteen cents.

Order to sell goods, fifteen cents.

Order for the relief of a pauper, each justice twenty cents.

Order for the removal of a pauper, each justice fifty cents.

Order to seize goods for the maintenance of wife and children, twenty-five cents.

Order for premium for wolf or fox or other scalps, to be paid by the proper county, fifteen cents.

Every acknowledgment or probate of deed, or other instrument of writing, twenty cents.

Taking and signing acknowledgment of indenture of an apprentice, for each indenture twenty cents.

Assignment and making record of indenture, twenty cents.

Cancelling indenture, ten cents.

Comparing and signing tax duplicates, each justice fifty cents.

For marrying each couple, making record thereof, and certificate to the parties, two dollars.

Certificate of approbation of two justices to the binding as apprentice of a person by overseer or directors of the poor, each justice twenty-five cents.

Certificate to obtain land warrant, fifty cents.

Swearing or affirming county commissioners, assessors or other township or county officer; and certificate thereof, to be paid by the county, twenty-five cents.

For administering oaths or affirmations, in any case not herein provided for, ten cents.

For issuing precept to lessee, in landlord and tenant proceedings, each justice fifteen cents.

For hearing and determining complaint, and all other services rendered therein, fifty cents.

For recording proceedings therein, each twenty-five cents.

For issuing and receiving returns of writ of restitution, including entry thereof, each justice twenty-five cents.

SECTION 2. The fees for services under the laws of the United States, shall be as follows, namely :

Fees under the laws of the United States.

For certificate of protection, fifty cents.

For certificate of lost protection, twenty-five cents.

For a warrant, twenty-five cents.

For commitment, twenty-five cents.

Summons for seamen in admiralty case, twenty-five cents.

Hearing thereon, with docket entry, fifty cents.

Certificate to clerk of district court to issue admiralty process, twenty-five cents.

SECTION 3. That the fees to be received by constables, shall be as follows :

Fees of constables.

For executing warrant in behalf of the commonwealth, forty cents.

Conveying to jail on mittimus or warrant, arresting a vagrant, disorderly person, or other offender against the laws (without process) and bringing before justice, levying fine for forfeiture on warrant, twenty-five cents.

Taking the body into custody on mittimus where bail is afterwards entered before the prisoner is delivered to jailor, twenty-five cents.

Serving subpœna, ten cents.

Serving summons, notice to referee, sutor, master, mistress or apprentice, personally or by copy, each ten cents.

Executing attachment, thirty cents.

Arresting on capias, twenty-five cents.

Taking bail-bond on capias, or for delivery of goods, fifteen cents.

Notifying plaintiff, where defendant has been arrested on capias, to be paid by plaintiff, ten cents.

Executing landlord's warrant, or serving execution, twenty-five cents.

Taking inventory of goods, each item one cent.

Levying or distraining goods and selling the same, for each dollar not exceeding thirty, five cents.

For each dollar above thirty, three cents.

And one-half of the said commission shall be allowed where the money is paid after levy without sale, but no commission shall in any case be taken on more than the real debt, and then only for the money actually received by the constable, and paid over to the creditor.

Advertising the same, forty cents.

Copy of vendue paper when demanded, each item, one cent.

Putting up notice of distress at mansion house, or other public place on the premises, fifteen cents.

Serving *scire facias* personally, ten cents.

Serving same by copy, fifteen cents.

Serving rule and interrogatories in attachments of execution, twenty cents.

Executing bail piece, twenty cents.

Traveling expenses on an execution returned *nulla bona* and *non est inventus*, where the constable has been at the place of defendant's last residence, each mile circular, three cents.

Executing order for the removal of a pauper, fifty cents.

Traveling expenses in said removal, each mile circular, ten cents.

Traveling expenses in all other cases, for each mile circular, actually traveled, counting from the office of the justice to the place of service, three cents.

For making returns to the court of quarter sessions of the proper county, fifty cents each for one day.

Mileage for same, counting from residence of constable to the county seat, to be paid by county, three cents per mile circular.

For appraisement, and all other services, under exemption act of ninth April, one thousand eight hundred and forty-nine, one dollar.

For serving precept and returning same in landlord and tenant proceeding, twenty-five cents.

Executing writ of possession and returning same, fifty cents.

When the rent shall be received from the lessee by the constable such commission as is now allowed by law on writs of execution.

SECTION 4. That the twenty-sixth and twenty-seventh sections of the act, approved March twenty-eighth, one thousand eight hundred and fourteen, and of the third section of the act approved March twenty-eighth, one thousand eight hundred and twenty, in relation to penalties for taking illegal fees and bills of particulars, are hereby re-enacted, and their several provisions extended and made applicable to all violations of this act. Penalty for taking illegal fees.

SECTION 5. That the provisions of this act shall not apply to the city of Philadelphia. Not to extend to Philadelphia.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 274.

## AN ACT

For the Relief of John L. Gaylord, of Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the superintendent upon the North Branch extension of the Pennsylvania canal be and he is hereby required, as soon as practicable, to construct a suitable farm bridge over the said canal upon the farm of John L. Gaylord, in Wyalusing township, in Bradford county, at such point as will give him the best access to that part of his farm lying south of said canal, and between the Susquehanna and Wyalusing creek, and to defray the cost of said bridge out of any moneys appropriated for construction or repairs of said canal; but in case the said superintendent shall certify to the canal commissioners that the interests of the state will be injuriously affected by this requirement, then the canal commissioners shall view and appraise the damages which the said John L. Gaylord has or may sustain by reason of the southern part of his farm being separated from the other portion thereof by said canal, without a bridge to cross the same, which damage shall be paid by the state treasurer, out of any moneys in the treasury; or if the said canal commissioners shall decide that it will be for the interest of the commonwealth to build a bridge as aforesaid, in that case it shall be the duty of the superintendent to proceed

## LAWS OF PENNSYLVANIA,

and erect said bridge, and construct suitable embankments for road leading thereto, as soon as practicable.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 275.

## AN ACT

Supplementary to the act incorporating the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the second and fifth sections of an act supplementary to the act incorporating the borough of Easton, approved the eighth day of March, Anno Domini one thousand eight hundred and fifty-six, as relates to the election of high constable, and the pay or salary of watchmen or police officers, be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 276.

## AN ACT

Providing for the alteration of the lines of Streets and Alleys, and the re-survey of certain parts of the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



the town council of the borough of Easton shall cause a re-survey Re-survey authorized. to be made of all that portion of the said borough lying north of the Bushkill creek, in which re-survey they shall have full power and authority so to alter and change the grades of the streets and alleys heretofore laid out in the aforesaid portion of the said borough, as to the said town council shall appear to be just and expedient, of which survey they shall cause a draft to be made, on which shall be marked the elevations and depressions in the said streets and alleys; and when such draft shall be made, one copy thereof shall be deposited with the town clerk for the inspection of all concerned, and due notice shall be given thereof, by three insertions in at least two newspapers printed and published in the said borough, which notice shall also specify that on a day to be named, the town council, will hear any objections made thereto by any owner of real estate situate within the aforesaid portion of the said borough, at which time the said council shall hear and determine whether any, and if any, what alterations shall be made therein; and thereupon the said draft, with or without such alterations, as the case may be, shall be recorded in the office for recording of deeds in and for the county of Northampton, and be and remain a record thereof, and shall not be altered or changed unless authorized by act of assembly.

SECTION 2. That the town council of the said borough of Easton shall have authority to change the direction of streets Change of streets and alleys. and alleys of that part of the said borough lying north of the Arndt road and west of Seventh street: *Provided*, That the alterations aforesaid shall be approved by a majority of the property owners of the above-mentioned part of said borough: *And provided further*, That the provisions of this section shall not be construed to alter the direction of streets and alleys of any part of said borough except that laying north of the said Arndt road.

SECTION 3. That whenever the town council of the borough of Easton aforesaid, shall deem it necessary and expedient to open Lehigh and Ferry streets from Seventh to Walnut streets, Opening of Lehigh and Ferry streets. the town council aforesaid shall have full power and authority to open the said streets, and any law that prevents the same or is inconsistent with the provisions of this act, is hereby repealed: *Provided*, That the said streets shall not be so opened until petitioned for by a majority of the property holders upon said streets.

SECTION 4. That all laws and parts of laws inconsistent herewith, be and the same are hereby repealed. Repeal.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 277.

## AN ACT

To widen Chesnut Street, in the borough of Pottstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* for the purpose of widening Chesnut street, in the said borough, on the north side of the same, to commence at Washington street, and to extend in a straight line to Warren street, the corporation of the said borough of Pottstown is hereby authorized and empowered to proceed therein agreeably to the several provisions and regulations of the act of assembly, approved the third day of April, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," which said provisions and regulations are hereby made applicable to and shall govern the proceeding in the above case

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 278.

## AN ACT

Authorizing the Governor to Commission Auctioneers for the borough of Muncy, Lycoming county, and for the borough of Lewisburg, Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the fifth section of the act of assembly, approved the eleventh of April, Anno Domini one thousand eight hundred and forty, which authorizes the appointment of an auctioneer in the borough of Williamsport, Lycoming county, be and the same are hereby extended to the borough of Muncy, Lycoming county, and the borough of Lewisburg, Union county: *Provided, That* this bill shall not authorize the selling at auction

the books, wares and merchandize of transient dealers in those articles, not residing in said boroughs, and that said licenses shall be of force for no longer period than one year, unless renewed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 279.

## AN ACT

To authorize the erection of a Lock-up House in the borough of Punxsutawney, in the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the burgess and town council of the borough of Punxsutawney, in the county of Jefferson, be and they are hereby authorized and empowered to furnish materials and build or otherwise provide and support, in said borough, at the expense of said borough, a suitable house for the security and temporary detention of persons committed by justices of the peace, or burgess of said borough, or members of the town council acting in his place, for any violation of the laws of this Commonwealth, or of the ordinances of said borough, for which such person or persons could be lawfully committed to the common jail of said county, there to remain and be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided*, That no person shall be confined in said house, at any one time, for a longer period than forty-eight hours, except such person be charged with an indictable offence and it be necessary to detain such person or persons for further examination.

Lock-up house to be built.

Provide.

SECTION 2. That the legal fees for the arrest, commitment and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority, and paid by the party, the prosecutor or the county of Jefferson, as the issue of the case may require.

Fees.

SECTION 3. That the burgess and town council, or a majority of them, shall have power to appoint a proper person to keep the said lock-up house, and they are hereby empowered to pay

Keeper to be appointed.

such person for such services what the said burgess and town council, or a majority of them, may deem just and proper, said sum to be paid out of the funds of said borough.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 280.

# AN ACT

Fixing the time of holding Auditors' settlements in the borough of Punxsutawney, Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, that the auditors of the borough of Punxsutawney, in the county of Jefferson, shall meet and make their annual settlements on the second Monday in July of each year, and that any law contrary to the provisions of this act be and the same is hereby repealed, so far as relates to the said borough of Punxsutawney.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 281.

## AN ACT

To authorize the citizens residing within the limits of the Allegheny Cemetery to vote in the borough of Lawrenceville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the citizens residing within the limits of the "Allegheny cemetery," in the county of Allegheny, qualified and having a right to vote at the general elections of this commonwealth, shall vote at the general and county elections at the usual place of holding such elections in the borough of Lawrenceville, in said county, and at no other place, hereby declaring it not to be the object of this law, otherwise than above provided, to change the limits of any township, or local rights and privileges of the above mentioned citizens.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 282.

## AN ACT

Increasing the number of Assessors in the Twenty-third ward and Twenty-fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* on the first Tuesday in May next, and on the same day in each year thereafter, the qualified voters of the first, second and third election divisions of the Twenty-fourth ward, in the city of Philadelphia, shall elect two assessors; and the qualified voters of the fourth, fifth and sixth election divisions of said ward shall elect two assessors of the like qualifications, and in the same manner, and to perform the same duties as is provided in regard to asses-

Additional assessors in Twenty-fourth ward.

sors in the seventeenth section of a further supplement to an act, entitled "An act to incorporate the city of Philadelphia," approved the second day of February, Anno Domini one thousand eight hundred and fifty-four: *Provided*, That if at any time the councils of said city shall change the election divisions of said ward, they shall designate which of said divisions shall elect the assessors as aforesaid.

Also in Twenty-third ward.

SECTION 2. That the qualified voters of the first, second and third divisions of the Twenty-third ward in said city shall, on the day above mentioned, and annually thereafter, elect two assessors; and that the qualified electors of the fourth, fifth, sixth, seventh and eighth divisions of said ward shall, on the day above mentioned, and annually thereafter, elect two assessors with like qualifications, and subject to the restrictions imposed in the first section of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 283.

## AN ACT

Concerning the Setting of Curb Stone, and the Paving of Side Walks in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Pittsburg, shall have power to direct or require any owner or owners of any lot or lots fronting or abutting on any street or streets, alley or alleys within the city aforesaid, which have been or may be hereafter directed to be graded and paved, to prepare and set, or cause to be prepared and set hewn curb stone, of good and sufficient quality, in front of his, her or their lot or lots, and at such grade and place as shall be directed by the city regulator, and shall have power to direct or require any owner or owners having any lot or lots fronting as aforesaid on any street or streets, alley or alleys, or abutting on any court or courts, to pave or cause to be paved the foot or side walk fronting or abutting thereon with good hard brick or flag stone, of such quality as shall be approved by the city regulator or street commissioner.

Curb stones to be set, &c., by owners of property.



SECTION 2. That upon the failure of any owner or owners as aforesaid, to prepare and set hewn curb stone as aforesaid, or as may hereafter be directed by the authority aforesaid, or pave or cause to be paved the foot or side walks in front of his, her or their lot or lots as directed, within twenty days after receiving notice in writing from the street commissioner or city regulator, that the same has been authorized to be done, then and in such case the said select and common councils may cause the same to be done, and the expense incurred in paving and curbing the same, together with six per centum advance, shall from the completion of the work, be a lien on said premises, for which a claim may be filed in the name of the mayor, aldermen and citizens of Pittsburg, for the use of the contractor, against the owner or owners thereof, in the office of the prothonotary of the district court of the county of Allegheny, which court shall have jurisdiction in all cases arising under this act.

On failure, after notice, councils may have curbs set, pavements laid, &c.

SECTION 3. That the notice to be given as required by the second section of this act shall be in writing, and served personally on the owner or owners, their agent or attorney, if he, she or they, or any of them reside in the county, but if none of them reside in the county, or cannot be found therein, then said notice shall be posted on some conspicuous place upon the premises.

Notice.

SECTION 4. That the lien for the labor and materials shall not exist for a period longer than six months, unless filed in the court aforesaid, and when so filed the plaintiff may, at any time within five years, proceed for the collection of the amount claimed by writ of *scire facias*, and the sheriff shall serve the same on the owner or owners, if residing in the county aforesaid, as in the case of a summons, but if he, she or they cannot be found, then the sheriff shall post a true and attested copy of said writ on some conspicuous part of the premises therein, and shall cause to be advertised in a daily newspaper in the city of Pittsburg, for two weeks prior to the return day, a copy of said writ, together with notice that the owner or owners shall appear on or before the return day (designating in such notice the names of the owner or owners, and the return day) and make defence if any he, she or they may have, to the claim filed, on which service being made, or ten days' personal service on the owner or owners as aforesaid, the plaintiff may at any time after the return day, having filed in his claim the amount of materials furnished and work done, and having made affidavit at the time of filing said claim that the same is just, correct and unpaid, take judgment for the amount so sworn to in said claim, unless the defendant or his agent should previously have filed an affidavit of defence, stating therein specifically and at length the nature and character of the same.

Lien.

*Scire facias*.

Judgment.

SECTION 5. That any lessee or lessees having any lot or lots fronting or abutting on any of the streets, alleys or courts as aforesaid, and the unexpired term of said lease shall at the time any paving or curbing shall have been done exceed the period of five years, said lessee or lessees, and the interest of such leasehold premises shall be subject to all the provisions of this act: *Provided nevertheless*, That if upon the sale of the leasehold estate upon any such claim sufficient shall not be realized from the proceeds of sale, then and in such case the plaintiff may issue

Liability of lessees.

*Provided*.



a *scire facias* to the owner or owners of the lot or lots: *Provided*, That the same be done within five years from the filing of the claim aforesaid, commanding him, her or them to appear and show cause why the debt and cost should not be satisfied out of the real estate so held by him, her or them; service of said writ shall be made as prescribed in the fourth section of this act, and upon the return, the same proceedings may be had as if the claim had been originally filed against the owner or owners of the lot or lots aforesaid.

Amount of claim  
to be published.

SECTION 6. That the sheriff's hand-bills and advertisements on all writs of *levari facias*, issued on such claims, shall contain at the foot thereof a memorandum, setting forth the name of the plaintiff and defendant, and the nature of the claim, in default whereof the sale so made, if objected to before the acknowledgment of the deed, may be set aside.

Sales not to di-  
vest lien.

SECTION 7. That the lien of such claim shall not be divested by any private, public or judicial sale, but shall be and remain a lien on the premises.

Ordinances.

SECTION 8. That the said select and common councils of the city of Pittsburg shall have full power to make, pass and execute any ordinance that may be necessary to carry into effect the true intent and meaning of this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 284.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act for the erection of a new county out of part of Union, to be called Snyder, and relative to the Seat of Justice of Union county," approved the second day of March, Anno Domini one thousand eight hundred and fifty-five.

Trustees to sell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Ner Middleswarth and Henry C. Eyer, of Snyder county, and John V. Barber, of Union county, be and they are hereby appointed trustees, with power to sell at public sale the jail, court house, and all other public buildings, and all lands situate in the borough of New Berlin, belonging to the county of Union prior to the erection of the new county out of part of Union, called

Snyder, for the highest and best price that can be obtained for the same, on such terms as they may deem best, and on payment or securing the purchase money, to execute and deliver to the purchaser or purchasers deeds in fee simple for the same.

SECTION 2. That prior to such sale six weeks' public notice shall be given in all the newspapers published in the counties of Union and Snyder, and after deducting the costs of advertising and other expenses of sale, and after their account shall be audited by the auditors of said Union and Snyder counties, at a joint meeting assembled for that purpose, to divide the balance of the purchase money equally between said counties of Union and Snyder, and pay the same over to the treasurers of the respective counties.

Notice of sale.

Proceeds to be divided.

SECTION 3. That if any of the trustees named in the first section of this act shall refuse to act, or be prevented from acting for any cause whatever, it shall be lawful for the majority to do and perform all the duties herein required by said three trustees; and in case a majority shall refuse or be prevented from acting, then the court of common pleas of Union county shall have full authority to fill such vacancies, and the persons so appointed shall have authority to carry out all the provisions of this act.

Vacancies.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 285.

## AN ACT

To appoint Commissioners to view, lay out and open a State Road in Warren and Venango counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Patrick Falconer and Nathaniel Sill, Jr., of Warren county, and John A. Dale, of Venango county, be and they are hereby appointed commissioners for the purpose of laying out, opening and making a state road from a point on the east side of the Allegheny river, opposite the borough of Warren, in Warren county, to the borough of Tionesta, in Venango county: *Provided,* That the powers and authority hereby given to said commissioners shall continue for the period of five years and no longer.

Commissioners.

Route

Limitation

Duty of commissioners.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after taking an oath or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act with impartiality and fidelity, carefully to view the ground over which the said road shall pass, and lay out the same as near to a straight line, between the aforesaid points, as the nature of the ground and other important circumstances will permit, and in such manner that the vertical departure from a horizontal line shall not exceed five degrees, excepting at ravines and crossing of streams, where, by filling and bridging, the declination of the road may be preserved within that limit.

Draft.

SECTION 3. That when said road shall have been surveyed and located and properly marked on the ground, it shall be the duty of the said commissioners to make a draft of the same, which shall be filed of record in the courts of quarter sessions of the said counties of Warren and Venango, and when so filed said draft or drafts and the records thereof shall be legal evidence in all things relating thereto, and said road from thence is hereby declared to be a public road.

Tax to be applied to making road.

SECTION 4. That five mills on the dollar of the ordinary road tax, levied on unseated lands in the townships through which said road shall pass, shall be paid to said commissioners for the purpose aforesaid, during the year one thousand eight hundred and fifty-seven, and yearly thereafter, for the term of five years, and in case the taxes aforesaid shall be deemed insufficient to open and make such road, said commissioners may levy and assess an additional tax on the unseated assessed property in the said several townships through which said road may pass, for the year one thousand eight hundred and fifty-seven, and yearly thereafter for the term of five years, not exceeding five mills on the dollar in any one year, according to the valuation for county rates and levies, which tax shall be assessed and collected in the same manner as the supervisors or commissioners of roads in said counties are authorized to do by law.

County treasurer to pay road tax.

SECTION 5. That said commissioners shall be entitled to draw the amount of the taxes set apart, as also the amount of the additional taxes which may be assessed by virtue of this act, from the county treasurer of the counties in which the townships through which the road may pass are respectively situate, and said treasurer shall be required to pay the same to said commissioners.

Quorum of commissioners.

SECTION 6. That any two of the said commissioners shall be deemed a quorum, and sufficient to do anything authorized to be done by this act; and in case of death, resignation or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of Warren county shall appoint a person or persons to supply the vacancy or vacancies, who shall give bond as required in the tenth section of this act.

Accounts.

SECTION 7. That said commissioners shall annually settle their accounts with the auditors of their respective counties, and shall be allowed a reasonable compensation, not to exceed one dollar and fifty cents each, per day, for the time they shall be engaged in laying out, opening and making said road; and while engaged in laying out said road, they shall be allowed to

employ a competent surveyor, and chain carriers, together with one or more axemen, at reasonable rates, and also all reasonable expenses incurred while so engaged in viewing and laying out said road shall be allowed.

SECTION 8. That the commissioners of said counties through which said road may pass, are hereby authorized and required to pay to said commissioners, in proportion to the distance said road may be located in the respective counties, the sum necessary to defray the expenses of locating said road out of the county funds. Expenses, how paid.

SECTION 9. That the said commissioners may, and they are hereby authorized, in accordance with the terms and conditions of this act, to view, lay out, open and make a branch road, leading from a convenient point in the township of Limestone, Warren county, to be by them determined, till it intersects the state road leading from Warren to Brookville. And for the payment of the expenses of such branch as shall be located in the county of Jefferson or Forest, said county commissioners of said county or counties, shall be required to pay to said commissioners their proper proportion of said expenses in manner aforesaid. Branch road.

SECTION 10. That said commissioners, before entering upon the duties of their office, shall give a bond, with at least one good surety, conditioned for the faithful application of all the moneys received by them, and the faithful discharge of the duties of their office, which bond shall be approved by the court of quarter sessions of the county of Warren, or by one of the judges of said county, and be noted upon the docket and filed among the records of said court. Bond.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 286.

## A N A C T

To incorporate the Milford and Richland Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Uriah M. Engleman, Enos Artman, Milton Kern, John Graber, Aaron Penrose, John Shitz, Joseph Reiter, John K. Heist, George Commissioners.



**Style.** Erdman, Tobias Reiter, Frederick A. Trumbower, Reuben M. Shaffer, George K. Heist, Joseph Klein, David Huber, Jacob Sterner, Charles Jamison, Edward Thomas, Philip Yohn, Stephen Foulke, Samuel Carey, Henry Kemery, Peter Smith, James Cressman, John Blyler, John Trumbower, junior, John Ball, of Bucks county, or any five of them, are hereby appointed commissioners to open books, receive subscription to stock and organize a company by the name, style and title of the Milford and Richland turnpike road company, with power to construct a turnpike road, commencing at the intersection of the Millerstown road with the Allentown road, in the village of the Trumbowersville, in Milford township, and extending by way of Elias H. Erdman's tavern, in said village, to the Quakertown and Sellersville turnpike road, in the borough of Quakertown, Bucks county, at a point where the present public road intersects the same near Friends meeting house, and that along or near the bed of the public roads connecting said points, with full power and authority to change the same, as a majority of the stockholders may determine upon at a meeting to be called for that purpose, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided for.

**Tolls.** SECTION 2. That the said company are hereby authorized to charge, collect and receive the same amount and description of tolls on their road as are allowed by law to be charged by the act incorporating the Springhouse, Northamptontown and Bethlehem turnpike road company, and the several supplements thereto; and when said company shall have completed the whole of their road, or the distance of one mile at either or at both ends thereof, the same proceedings shall be had thereon as if they had constructed five miles of road; and they shall have power to collect and receive tolls on the same: *Provided*, That no toll gate shall be erected or maintained within the limits of the borough of Quakertown.

**Capital.** SECTION 3. That the capital stock of said company shall consist of two hundred and fifty shares, at twenty-five dollars each: *Provided*, That the said company may, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their judgment may be necessary to complete said road.

**Limitation.** SECTION 4. That if said company shall not commence the construction of their road within three years of the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 287.

## A FURTHER SUPPLEMENT

To the act to incorporate the Morrison's Cove and Woodcock Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Morrison's Cove and Woodcock Valley turnpike road company be and they are hereby authorized to extend their road from its present terminus, at or near the farm of J. T. Shiley, in the county of Huntingdon, to the town of Saxton, in the county of Bedford, and for that purpose may increase their capital stock, as is provided in the second section of their act of incorporation.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 288.

## AN ACT

To incorporate a Plank and Turnpike Road Company, to be called the Walkersville and Boalesburg Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* A. M. Elder, John Thompson, Austin Brew, Robert Cambell, Jeremiah Mayes, William Myers, John Hunter, Moses Thompson, George Boale, J. H. Mitchel, and George W. Johnston, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Walkersville and Boalesburg plank and turnpike road company, with power to construct a plank or turnpike road, partly clay and partly stone, or all of either, from Walkersville, Half Moon valley, to a point on the Boalesburg and Bellefonte turnpike road, near the town of Boalesburg, by the nearest and best route, or as may be agreed upon

Commissioners.

Style.

Route.

and adopted by the managers of said road, or a majority of them, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided*, That when the company hereby incorporated shall have finished three miles or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, at twenty-five dollars per share: *Provided*, That said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the construction of their road within two years after the passage of this act, and complete the same within seven years thereafter, this act shall be null and void, except so far as may be necessary to close up the affairs and pay the debts of said company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 289.

## AN ACT

To incorporate the Quakertown and Spinnerstown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Joseph Himmelwright, Daniel S. Heist, James Roberts, Henry Detwiler, Charles R. Himmelwright, Ephraim Ahlum, Aaron F. Shelly, John B. Roth, Henry Wise, Henry B. Stouffer, George Wise, John B. Shelly, Henry T. Shelly, Reller Himmelwright, Francis Shelly, Samuel C. Rader, David Spinner, Nathan C. Rader, George Eberhart, Edward Spinner, John Trumbower, Philip Boyer, William H. Oberholtzer, Jacob O. Stouffer, Abraham Oberholtzer, Solomon Hedrick, John Deiterly, Thomas Foulke, John C. Lester, Peter Smith, James Wilson, Peter Him-

Commissioners.

melwright, John S. Heist, Reuben Sheetz, Abraham Barndt, Peter Myers, Henry Shelly, (shoemaker,) Peter Zetty, John Bleam, of Bucks county, or any five of them, are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company by the name, style and title of the Quaker-<sup>Style</sup> town and Spinnerstown turnpike road company, with power to construct a turnpike road from the borough of Quakertown, by way of Heist's tavern, at Milford Square, to the village of Spinnerstown, in Bucks county, with the privilege of extending the same beyond Spinnerstown, along the Millerstown road, to the county line dividing Bucks and Lehigh counties, and that along or near the bed of the present public roads connecting said points, with full power and authority to change the same, as a majority of the stockholders may determine upon at a meeting to be called for that purpose, with the privilege also either of commencing their said road at the Quakertown and Sellersville turnpike road, in said borough, or of commencing the same at any other turnpike road that may be constructed leading to said turnpike road, in said borough, as the stockholders may in like manner determine upon, subject to all the provisions and restrictions of an act<sup>Subject to.</sup> regulating turnpike and plank road companies, passed the sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided for.

SECTION 2. That the said company are hereby authorized to<sup>Tolls</sup> charge and collect the same amount and description of tolls on their road as are allowed by law to be charged by the Quakertown and Sellersville turnpike road company; and when said company shall have completed their road from the point of commencing the same to Heist's tavern, at Milford Square, the same proceedings shall be had thereon as if they had constructed five miles of road; and they shall have power to collect and receive tolls on the same: *Provided*, That no toll gate shall be erected or maintained within the limits of said borough of Quakertown.

SECTION 3. That the capital stock of said company shall consist of six hundred shares, at twenty-five dollars each: *Provided*,<sup>Capital.</sup> That the said company may, by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as in their judgment may be necessary to carry out the true meaning and intent of this act.

SECTION 4. That if said company shall not commence the construction of said road within three years of the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to close the affairs of and pay the debts of the company.<sup>Limitation.</sup>

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 290.

## AN ACT

To incorporate the Grahamton and Deer Creek Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James T. Hale and James C. Williams of Centre county; James B. Graham, A. Leconte, Abraham Bebee, Thomas Leonard, Francis Condriet, T. F. Couterel, E. Wooldridge and Peter Lamm, of Clearfield county, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Grahamton and Deer Creek plank and turnpike road company, to locate and construct a road, intersecting the Tyrone and Clearfield railroad at the most convenient point, thence by Grahamton, mouth of Deer creek, Leconte's mill, and Humphery Hale and company's mill, and intersecting with the Milesburg and Smethport turnpike road at the most convenient and suitable point.

SECTION 2. That the capital stock of said company shall consist of one hundred shares at twenty dollars per share: *Provided*, That the said company may, from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as in their opinion may be required to complete their road according to the true intent and meaning of this act.

SECTION 3. That the said company may commence the construction of their road at any intermediate point: *Provided*, Such commencement shall be made within three years after the passage of this act, and should said company fail to complete their road within ten years after the same shall have been commenced, then this act shall be null and void, except so far as shall become necessary to settle the affairs of said company: *Provided*, That when two or more miles of said road shall be completed and approved of by said commissioners, the company shall be authorized to take toll therefor.

SECTION 4. That the said company may use all or such part of the old township or public roads now leading and extending between the points aforesaid, as may be practicable and for the interests of said company: *Provided also*, That the said company have the privilege of erecting a bridge across the West Branch of the Susquehanna river in connecting their road: *Provided*, That said bridge does not interfere with the navigation of said river.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

Commissioners.

Style.

Route

Capital.

Limitation.

Tolls.

May use other roads.

And build a bridge.

No. 291.

## A SUPPLEMENT

To an act to incorporate the Atlantic and Ohio Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the said Atlantic and Ohio telegraph company shall have authority to increase its present authorized capital, not exceeding three thousand shares, for the purpose of securing additional lines of telegraph between Philadelphia and Pittsburg.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 292.

## SUPPLEMENT

To an act to incorporate the Wilkesbarre Gas Company, approved the twenty-ninth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter any four of the board of directors of said company shall constitute a quorum to do business; and when, in said board, a vacancy occurs by death or resignation, it may be filled until the next annual election, by a majority of the board, at any regular meeting thereof, electing a person to fill said vacancy from among the stockholders of the company. Quorum.

SECTION 2. That said company shall have power to extend their mains and pipes to and through Kingston, Wyoming and East and West Pittston, and their respective vicinities, with the same privileges, protection and liabilities as in the borough of Wilkesbarre: *Provided*, That the councils of the boroughs mentioned shall not prohibit the laying of said mains and pipes within their limits: *And provided further*, That the citizens of Extension of pipes. Stock.



## LAWS OF PENNSYLVANIA,

the said towns and vicinities shall have the right of subscribing for the additional stock of said company necessary for extending said pipes.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 293.

## AN ACT

To extend the charter of the Ashbury Beneficial Society of the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to incorporate the Ashbury beneficial society of the city and county of Philadelphia," passed the seventh day of May, Anno Domini one thousand eight hundred and thirty-two, and of an act, entitled "An Act to revive and continue an act, entitled 'An Act to incorporate the Ashbury beneficial society of the city and county of Philadelphia,' passed the seventh day of May, Anno Domini one thousand eight hundred and thirty-two," approved the fourth day of February, Anno Domini one thousand eight hundred and forty-three, be and the same are hereby extended and continued for the period of twenty years from the sixth day of May next ensuing.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 294.

## A FURTHER SUPPLEMENT

To the act to authorize the Burgess and Town Council of the borough of Media to erect water works, approved the sixth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the present works become inadequate to furnish a sufficient supply of water for the use of the inhabitants of said borough, it shall be lawful for the burgess and town council thereof to erect such other works as they may deem necessary, at such place or location as will best procure the requisite supply of water.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 295.

## A FURTHER SUPPLEMENT

To an act to Reform the Penal Laws of this Commonwealth, approved the seventeenth day of January, Anno Domini one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act to reform the penal laws of this commonwealth, approved the seventeenth day of January, Anno Domini one thousand eight hundred and thirty-one, be and the same are hereby extended to the Philadelphia county prison; and the board of inspectors thereof are hereby authorized to discharge from prison any convict who may have served his or her term of imprisonment, in the same manner and

upon the same conditions as in said act provided in regard to the state penitentiaries.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 296.

## AN ACT

Requiring the townships of South Middleton and Monroe, in the county of Cumberland, to Repair a Certain Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be the duty of the supervisors of the townships of Monroe and South Middleton, in the county of Cumberland, within their respective townships, to examine all that part of the State road from York to Carlisle which lies between the Yellow Breeches creek, at Brandt's fording, and the line of the borough of Carlisle, and to make such repairs and improvements upon the said road so that no grade upon any part of the said road shall exceed five degrees of ascent; each township to bear the expense of such repairs as shall be required in their respective townships, to be assessed and collected as other road taxes within the said township are collected.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 297.

## AN ACT

Relative to Roads in Preston township, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first, second, third, fourth, fifth, sixth and seventh sections of the act, approved the third day of March, one thousand eight hundred and forty-seven, in relation to the road laws in the township of Lenox, in the county of Susquehanna, be and the same are hereby extended to the township of Preston, Wayne county, and the existing road laws, so far as they are supplied by this act, are hereby repealed in the township aforesaid.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 298.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Commonwealth Insurance Company at Harrisburg," approved the thirteenth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That this company be and they are hereby authorized to enlarge their capital stock to any sum not exceeding five hundred thousand dollars, and to do a general insurance business as well against losses by fire as the perils and risks incident to marine, river, lake and canal navigation, the transportation of property by land, or the pursuit or prosecution of any and all kinds of lawful business or transactions in which there may be peril or risk, at such rate of premium and upon such terms and conditions as may be agreed upon, not however including insurance on lives: Provided, That said company shall be subject to the regulations*

and restrictions of an act to provide for the incorporation of insurance companies, approved the second day of April, A. D. one thousand eight hundred and fifty-six.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 299.

## AN ACT

To Legitimate Abel W. Streeter.

WHEREAS, Doubts exist whether Abel W. Streeter will inherit as fully and effectually from his mother, under existing laws, as is desired by his said mother; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Abel W. Streeter, illegitimate son of Mary Ann Gutlick, (late Metzger) of the city of Lancaster, be and is hereby declared legitimate, and shall have the right and be capable in law to inherit and transmit any estate whatever, from and to his said mother, as fully and effectually as if he had been born in lawful wedlock.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 300.

## A N A C T

To provide for the Correction of a Clerical Error in the act relative to the Erie canal.

WHEREAS, A certain act of the general assembly, approved the twenty-third day of April, A. D. one thousand eight hundred and fifty-six, entitled "An Act to restrain the Erie canal company from fixing exorbitant rates of tolls, and for other purposes," refers to an act in relation to the Erie canal company, approved the eighth day of May, A. D. one thousand eight hundred and fifty-five, as being approved on the eighteenth day of said month:

*And whereas*, An error has manifestly arisen in the use of dates, no act relating to the Erie canal company having been approved on the eighteenth day of May, one thousand eight hundred and fifty-five; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the date of approval of an act in relation to the Erie canal company, referred to in the first section of an act to restrain the Erie canal company from fixing exorbitant rates of tolls, and for other purposes, shall read, "the eighth day of May, one thousand eight hundred and fifty-five," as intended by the general assembly, and that no party or parties shall be allowed to take any advantage of the error in the reference to date of approval, and the act thus corrected shall have the same force and effect as if no error had occurred.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 301.

## A N A C T

To permit the School Directors of the borough of Bridgeport, Montgomery county, to borrow money.

WHEREAS, The directors of the school district of Bridgeport, in the county of Montgomery, during the past year erected a neat

and substantial brick school house, sufficiently large to accommodate all the common schools of the district, at considerable cost beyond their present means of payment :

*And whereas,* They have made arrangements to borrow money to liquidate the claims of the mechanics and others, which have accrued in and about the erection, furnishing and fitting up the said school house, but find the general common school law does not permit them to borrow a sum sufficient for said purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said directors are hereby authorized to borrow on the credit of said district for the purposes aforesaid, at a rate of interest not exceeding six per centum, any amount not exceeding five thousand dollars, and issue bonds therefor in sums not less than one hundred dollars.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 302.

## SUPPLEMENT

To an act Regulating Banks, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act regulating banks, approved April the sixteenth, one thousand eight hundred and fifty, shall not be so construed as to authorize the commencement of legal proceedings against the Bank of New Castle, to compel it to make an assignment, or forfeit its charter for failure or refusing to redeem its notes, certificates of deposit or other liabilities, in coin, within ninety days from and after its failure or refusal, as such failure or refusal has been caused by theft or embezzlement of its funds, and legal proceedings having been instituted and pending in the proper

court for the trial, conviction and punishment of the person or persons charged with such theft or embezzlement.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 303.

# AN ACT

Relative to the Property held by the Trustees of the Sheppard Legacy.

WHEREAS, The income of the property held by the trustees appointed by the court of common pleas of the county of Philadelphia, under the last will and testament of Nathan Sheppard, late of said county, deceased, is applicable to the gratuitous instruction of the children of the poor; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property which may be held by the trustees aforesaid be and the same is hereby exempted from taxation.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 304.

## AN ACT

To incorporate the Paxton Male and Female Seminary.

Location and  
name.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and hereby is erected and established a seminary or school for the education of youth of both sexes in the ancient and modern languages, and in the useful arts, sciences and general literature, to be located near Paxton church, in Swatara township, Dauphin county, by the name, style and title of the Paxton male and female seminary.

Capital stock.

SECTION 2. That the capital stock of the said seminary shall consist of eight thousand dollars, to be divided into shares of twenty-five dollars each, with the privilege of increasing the same to the amount of fifteen thousand dollars, at any time when two-thirds of the board of trustees shall deem it expedient.

Corporators.

SECTION 3. That for the purpose of carrying into effect the objects aforesaid, John P. Rutherford, Joshua Elder, Robert W. McClure, John B. Rutherford, Simon Cameron, Abner Rutherford, J. N. Gray, Samuel S. Rutherford, John W. Cowden, Josiah Espy and James Elder, and their associates and successors, subscribers to the stock of the seminary as hereinafter provided, be and they are hereby created, established and declared to be one body politic and corporate, in deed and in law, by the name, style and title of the Paxton male and female seminary; and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and shall be capable in law and equity to take and to hold, by the name aforesaid, to themselves and their successors, for the use of said seminary, any estate in lands, tenements or hereditaments, goods, chattels, stocks, moneys, or other effects, of what kind, nature or quality soever, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest from any person or persons whomsoever, or body politic, capable of making the same, and the same from time to time to grant, bargain, sell, demise, alien, lease, place out at interest or otherwise dispose of, and re-invest for the use and benefit of said seminary, and to receive the rents, profits, income and interets thereof, and to apply the same to the proper use of the said seminary, and to erect such buildings and fixtures, and procure such furniture and apparatus as may be necessary or convenient for the purposes aforesaid, and generally to do all things for the good government and well ordering of the affairs thereof which such corporations may rightfully do: *Provided,* That the clear yearly income of the real and personal estate held by said corporation shall not exceed the sum of five thousand dollars.

Style.

Privileges.

Proviso.

Subscriptions to  
stock.

SECTION 4. That the persons named in the third section of this act, or any two of them, are hereby authorized to open books as

soon as may be practicable after the passage of this act, and enter therein as follows: "We whose names are hereto subscribed do promise to pay to the trustees of the Paxton male and female seminary, the sum of twenty-five dollars for every share of stock set opposite to our respective names, in such manner and proportions and at such time or times as shall be required by said trustees;" and shall thereupon proceed to receive subscriptions for the stock of the said corporation to an amount not exceeding the sum of eight thousand dollars, from such persons as may be willing to subscribe therefor. As soon as the sum of six thousand dollars or upwards shall have been subscribed, it shall be lawful for the said commissioners to fix a time and place for the election of trustees from amongst the said subscribers, and give at least ten days' previous notice thereof in one newspaper published in Harrisburg, in said county, at which election the stockholders of the corporation present, in person or by proxy, duly constituted, shall proceed to elect by ballot six persons as trustees, who, together with one additional trustee to be chosen as hereinafter directed, shall constitute the board of trustees of the said corporation until their successors are chosen; and they and their successors shall exercise all the corporate powers thereof, and have the entire management of its affairs. And on the first Monday of January next following said election, and annually thereafter, it shall be lawful for the stockholders to elect six trustees as aforesaid, who shall continue in office for one year, and until their successors are duly elected. In case of vacancies in the board by death or otherwise, the remaining members of the board shall fill the same until the next election. A failure to elect trustees on the day designated shall not dissolve the corporation, but the acting board shall continue in office until successors are chosen; a special election for which purpose may be held at any subsequent time, upon ten days' previous notice being given to that effect by a handbill placed in a public place at the seminary buildings by the president of the board of trustees or any two stockholders. In all elections by the stockholders, each share shall entitle the holder to one vote.

Election of trustees.

Annual elections.

Vacancies.

Votes.

SECTION 5. That it shall and may be lawful for the trustees of the United Presbyterian church, in Lower Paxton, Lancaster (now Dauphin) county, to sell and convey in fee simple to the corporation hereby created, for such sum and on such terms as may be agreed upon between the parties, any quantity of land belonging to said church, not exceeding two acres, for the use of said seminary, and to receive payment therefor, in whole or in part, in capital stock of the said seminary; and the said church shall thereupon be entitled to all the rights and privileges of other stockholders in the said seminary, and shall also be entitled to elect, at such times and in such manner as the said church corporation may designate, one member of the board of trustees of the said seminary, who shall at all times be of equal authority with the other trustees of the corporation.

May buy land.

SECTION 6. That the said corporation shall have power to procure and use a common seal, and to break, alter and renew the same at pleasure. The said trustees and their successors, any four of whom shall constitute a quorum for the transaction of business, shall have power to make and enact ordinances and

Powers of trustees.



by-laws for the government of said corporation to appoint a principal professor and teachers for the said seminary, and remove them at pleasure, to elect from their number a president, secretary and treasurer annually, the latter of whom shall give bond with security for the faithful performance of his duties in such sum, and in such form as the by-laws may require, and to appoint all other officers and agents which they may deem necessary and proper for the good management of the affairs of the seminary, and to define the duties and terms of service of all such officers and agents, fix their compensation, as well as the duties and compensation of all the other officers and agents not herein otherwise provided for, and generally to enact all by-laws and regulations which may be necessary to carry into effect the true intent and meaning of this act, or which they may deem requisite for the promotion of the good order and well-being of the said seminary: *Provided*, That the said by-laws and regulations shall not be repugnant to the constitution or laws of the United States or of this state.

Lease of property  
of corporation.

SECTION 7. That the said trustees may, if they deem it expedient, lease and hire out the real and personal effects of said corporation to a competent teacher or teachers, and receive and collect rent and compensation for the use of the same; and they shall also have power from time to time to divide, rateably amongst the stockholders, the net proceeds of the income from the real and personal estate of the corporation, and from tuition or otherwise, after deducting all necessary charges and expenses for repairs and the due management of the said seminary: *Provided*, That no dividend shall be made which would in any manner impair the capital stock of the corporation. The capital stock shall be transferable only on the books of the corporation, in person or by attorney, under such regulations as may be adopted by the trustees, and be subject, in the hands of the assignee; to the payment of any balance due or coming due thereon.

Dividends.

Bequests to cor-  
poration.

SECTION 8. That no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That the intent of the parties shall sufficiently appear in said gift, grant, will or other writing whereby any estate or interest in anything real or personal was intended to pass to the said corporation.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 305.

## A N A C T

To Separate the State and School Departments.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first Monday in June, Anno Domini one thousand eight hundred and fifty-seven, the department of common schools shall be detached and remain separate from the office of the secretary of the commonwealth, and a superintendent of common schools shall be appointed by the governor every third year, by and with the advice and consent of the Senate, and shall hold his office from the first Monday of June, for and during the term of three years, if he shall so long behave himself well, and he shall be liable to be removed from office by the governor for misbehaviour or misconduct, at any time during his term; and any vacancy that may occur in said office of superintendent shall be supplied by a new appointment for the unexpired term of the former incumbent: *Provided,* That in the event of any such removal, the governor shall at the time communicate his reasons therefor in writing, to the superintendent thus displaced, and also to the Senate, if in session, and if not, within ten days after their next meeting.

State and school and departments separated.

Superintendent to be appointed.

Vacancies.

Proviso.

SECTION 2. That the superintendent first appointed under this act, shall hold his office from the first Monday in June, Anno Domini one thousand eight hundred and fifty-seven, and shall receive an annual salary of fourteen hundred dollars, payable quarterly.

Term and salary of superintendent.

SECTION 3. That the superintendent of common schools, and his successors in office appointed under this act, shall furnish the same security, exercise the same functions, and be charged with the same duties and responsibilities that are now by law required of and devolved upon the superintendent of common schools.

Duties and powers of superintendent.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 306.

## SUPPLEMENT

To the act, entitled "An Act to incorporate the Erie City Railroad Company," approved the sixth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie City railroad company be and it is hereby authorized and required to locate and construct its road to its terminus in the harbor at Erie, by the most direct and feasible route east of Parade and north of the south line of Front streets, in the city of Erie, with the privilege of constructing and using, from its intersection with the Erie and North East railroad, a track alongside thereof, extending to the freight and passenger depots of the said Erie and North East railroad company; and the time for completing and opening for use the Erie City railroad, shall be and the same is hereby extended one year and a half.

SECTION 2. That the second section of the act, entitled "A supplement to the act incorporating the Erie City railroad company," approved the twentieth day of April, one thousand eight hundred and fifty-four, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 307.

## AN ACT

To incorporate the Neshamony Hall Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Paxon, Samuel Bronson, M. M. Marples, John Dorrance, Edward C. M'Clure, William H. Gatzmer, Samuel L. Horner, John A. Wetherill, Richard Donegan, E. A. Hendry, Samuel

Route of Erie  
City railroad.

Repeal.

Commissioners.

Grant, Jr., John P. Jenkins, William P. Fetridge, Samuel Kay, Thomas B. Patterson, Andrew Colwell, Joseph H. Schenck, Ezra B. Conklin, James B. Billings, John C. Hopewell, William A. Hill, or any three of them, be and they are hereby appointed commissioners, to perform such duties and enjoy such privileges, Duties. and be subject to such regulations and restrictions as are conferred and imposed on the commissioners named in the first section of act to incorporate the Wabank House, on the banks of the Conestoga, in Lancaster county, approved the seventh day of May, one thousand eight hundred and fifty-five, except such as are herein altered or supplied.

SECTION 2. That the capital stock of the Neshamony Hall asso- Capital. ciation shall be twenty-five thousand dollars, divided into shares of twenty-five dollars each, and the stockholders of said association may at any time, at a meeting called for the purpose of taking the subject into consideration, increase the capital stock thereof to a sum not exceeding thirty thousand dollars.

SECTION 3. That the object of the said association shall be to Objecta. purchase and improve the property, not exceeding ten acres of land, known as Schenck's Station, on the Neshamony creek, in the county of Bucks, and for that purpose, and all other purposes for which the Wabank House association was incorporated, the Neshamony Hall association shall possess all the privileges con- Privileges. ferred, and be subject to all the restrictions imposed on said Wabank House association, except such as are hereby altered or supplied: *Provided*, That the stockholders shall be individually Provido. liable for all debts contracted by the officers and directors thereof, for materials, service or labor furnished said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of an act to incorporate the Lackawanna iron and coal company, approved the fifth day of April, A. D. one thousand eight hundred and fifty-three.

SECTION 4. That the publication required in the act referred Publication. to in the first section of this act, shall as far as this association is concerned, be made in one newspaper in Doylestown, and one in Philadelphia, or one in either place as the commissioners may elect.

SECTION 5. The said company shall not have authority to make Prohibitions. or permit to be made a race course on their property, or permit anything illegal being done on their premises, under the penalty of a forfeiture of their charter.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 308.

## A N A C T

Relating to the Office and Duties of Attorney General.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the attorney general shall be appointed by and hold his office during the pleasure of the governor, and shall have his office at Harrisburg, and shall keep a proper docket or dockets duly indexed, in which he shall make and preserve a memoranda of all claims in his hands, whether sued on or not, showing the nature and condition of said claims respectively, and shall annually, on or before the second Tuesday of January, make report to both branches of the legislature, giving a summary statement of all the official business transacted by him during the preceding year, and when he goes out of office shall deliver to his successor said dockets and all the books and papers pertaining to his office.

Appointment.

Annual report.

Duties of auditor general and state treasurer.

Suits.

Suits to be brought in Dauphin county against defaulters.

Oath and bond.

SECTION 2. That all debts which the auditor general and state treasurer know to be due the commonwealth from all sources whatsoever, and which shall have been due and unpaid for ten days after the time fixed by law for appeals shall have expired, shall be handed over by said auditor general and state treasurer respectively to the attorney general for collection; whereupon he shall proceed without delay to collect the same by suit or otherwise, as he may deem most conducive to the interests of the commonwealth, and he shall pay over to the state treasurer all moneys received by him within ten days from the receipt of the same: *Provided,* That nothing in this act shall prevent the state treasurer or auditor general from placing claims in the hands of the attorney general for collection at any time before the expiration of said ten days.

SECTION 3. That the several provisions of the twelfth section of the act of sixteenth of April, one thousand eight hundred and forty-five, entitled "An Act to increase the revenues and diminish the legislative expenses of the commonwealth," and of the fourth section of the act of the twenty-first April, one thousand eight hundred and forty-six, entitled "A supplement to the law relating to defaulting public officers," are hereby extended to all suits against defaulting public officers, or their sureties, within this commonwealth: *Provided,* That the provisions of this section shall not apply to any person or persons who has or have become sureties previous to the passage of this act.

SECTION 4. That the attorney general before entering upon the discharge of the duties of his office, shall take an oath or affirmation to support the constitution of the United States and



of the commonwealth of Pennsylvania, and to perform his official duties with fidelity, and shall give bond to the commonwealth in the sum of thirty thousand dollars, with at least two sufficient sureties, conditioned for the faithful performance of his official duties, and the payment to the state treasurer according to law of all moneys of the commonwealth which may be collected or received by him, which bond shall be approved by the governor and recorded in the office of the secretary of the commonwealth, and copies of said bond, duly certified under the seal of said office, shall be admitted as legal evidence in any court within this commonwealth.

Bond to be recorded.

SECTION 5. That the attorney general shall have the right of access to all times to the books and papers of the auditor general's office, and state treasurer's office and the office of the canal commissioners, and it shall be his duty to cause to be settled, in the manner now provided by law, and collected, as required by this act, any and all moneys appearing by said books or papers to be due the commonwealth, whenever in his opinion the public interests would be thereby subserved.

Access to books, &c., in public offices.

SECTION 6. That the salary of the attorney general shall be three thousand dollars per annum, payable quarterly, which salary shall be in full for services in all cases in the supreme court wherein the commonwealth is a party, for all legal opinions on questions of law submitted to him by the governor, by the auditor general, state treasurer, surveyor general or canal commissioners, and in full for all fees and professional services whatsoever, to be paid by the commonwealth: *Provided*, That the attorney general shall be allowed five hundred dollars annually for clerk hire.

Salary.

Clerk hire.

SECTION 7. That the attorney general shall, on the first Monday of July next, and quarterly thereafter, make out and transmit to the state treasurer a detailed statement showing the amount of money received and paid over by him during the quarter immediately preceding, and shall at the same time pay to said treasurer whatever balance may be in his hands, if any, and shall annually, on the first Monday in October, settle his accounts with the auditor general in the manner provided by law; and if the returns and payments herein required be not promptly made by the attorney general it shall be the duty of the governor to remove him from office and appoint a successor.

Quarterly statements and annual settlements.

May be removed for neglect.

SECTION 8. That the present attorney general, on giving bond as required by the fourth section of this act, and opening his office in the borough of Harrisburg, shall be subject to all the provisions, and entitled to all the privileges and compensation herein provided; his salary to be paid in proportion to the time he may continue in office.

Present attorney general.

SECTION 9. That the tenth section of the act of the thirteenth of March, one thousand eight hundred and eleven, and the first section of the act of twenty-ninth March, one thousand eight hundred and thirteen, relating to the employment and pay of attorneys by the state treasurer and auditor general, and all other acts and parts of acts which are inconsistent herewith, or

Repeal.

which by the provisions of this act are altered or supplied, are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 309.

A N A C T

To incorporate the Richland and Trumbowersville Turnpike Road, in the county of Bucks.

Commissioners.

Style.

Route.

Subject to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* David Johnson, William Scheetz, Samuel Ley, Charles Kemmerer, Milton Johnson, Clayton Foulke, Evan Penrose, junior, Henry Ochs, Aaron Ball, John T. Penrose, George Seese, Jacob Fellman, Michael Smith, John Scholl, Simon Wambold, George A. Mongold, John Wittimer, John Graber, Joseph Reiter, George K. Heist, Barnet Headman, Lewis Headman, Eli W. Strawn, Tobias Reiter, Gilbert Ball, Daniel Sacks, Abraham Honskeeper and Jacob L. Nace, of Bucks county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscription to stock, and organize a company by the name, style and title of the Richland and Trumbowersville turnpike road company, with power to locate and construct a turnpike road, commencing at the cross roads near the Quakertown station on the North Pennsylvania railroad, and extending thence on or near the bed of the Hellertown road to a point in the Quakertown and Sellersville turnpike road near the house of Clayton Foulke, and departing again from said turnpike road at the toll gate near the house of John T. Penrose, and following on or near the bed of a public road to a point in the Philadelphia and Allentown road near Elias H. Erdman's tavern; thence extending on or near the bed of the Allentown road to the cross roads near Uriah M. Engleman's store, in the village of Trumbowersville, in said county of Bucks, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, so far as the same is not inconsistent with any section of this act.

SECTION 2. That the capital stock of said company shall consist of two hundred and eighty shares of twenty-five dollars each: *Provided*, That said company may, by a vote of the stockholders, increase their capital stock so much as in their judgment may be necessary to carry out the true intent and meaning of this act. Capital.

SECTION 3. That when the said company shall have completed one mile or more of said road, they shall have power to erect toll gates, and receive the same toll per mile as are allowed by the twelfth and thirteenth sections of an act passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, except that said company shall not be liable for the fractional parts of a cent. Tolls.

SECTION 4. That if said company shall not commence the construction of said road within three years, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of the company. Limitation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 310.

### A SUPPLEMENT

To an act to incorporate the Philadelphia Steam Tug Company, for Saving and Protecting Property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia steam tug company, incorporated the second day of May, one thousand eight hundred and fifty-five, for saving and protecting property, are hereby authorized and empowered to increase the capital of the said company by the addition of two thousand more shares of stock, to be subscribed and paid for in accordance with the terms of the first section of the act to which this is a supplement, and upon the same conditions and subject to the same penalties as the stock already subscribed for or to be subscribed for under the said act; and the said company shall also have power and authority to employ their ice boat, tug boat or boats in towing ships or other vessels in the port of Phila- May increase capital.

## LAWS OF PENNSYLVANIA,

delphia, and in the river Delaware and elsewhere, and to let, hire or charter the same for that purpose, upon such terms and subject to such rules and regulations as they may deem advisable for the best interests of the said company.

VACANCIES. SECTION 2. The directors of the said company shall have the power and authority to fill any vacancies that may occur in their own body; and the directors so appointed by them shall serve until the next annual election thereafter for directors.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 311.

## A N A C T

To incorporate the Marine Exploring Company.

INCORPORATORS.

STYLE.

CAPITAL.

DIRECTORS AND  
THEIR ELECTION.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John E. Gowan, M. J. Wickersham, George J. Presbury, and such other persons as shall be associated with them, be and they are hereby created a body politic and corporate, by the name, style and title of the Marine exploring company, with a capital not exceeding one million of dollars, with power to increase the same to not exceeding two millions of dollars, whenever a majority of the stockholders shall so determine, which capital shall be divided into shares of one hundred dollars each.

SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be elected by the stockholders president. The first election shall be held within one month after the passage of this act, of which election public notice shall be given at least one week in one newspaper published in the city of Philadelphia; and subsequent elections shall be held at such time and place as the directors shall determine, of which election the same notice shall be given. All elections shall be held by ballot, and every share of stock shall entitle the holder thereof to one vote.

POWERS.

SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter or amend

at pleasure, and by the style and title aforesaid shall be capable to sue and be sued; and the directors thereof may make all needful rules, regulations and by-laws, and alter and amend the same, and elect such officers and agents as may by them be deemed necessary: *Provided*, That no by-laws or regulations shall in any wise conflict with the laws and constitution of this commonwealth or of the United States.

SECTION 4. That the object of the said corporation is, and the business thereof shall be confined to, and the capital thereof shall be employed in the raising and removing of sunken, and the recovery of lost or wrecked vessels and marine craft of every description, and their contents, and for the purchase of vessels, machinery and whatever else may be necessary for the proper prosecution of the business of the company; and for that purpose and all other purposes pertaining to the business of this corporation, it may contract with any party or parties, government or governments, on such terms and conditions as may be agreed on: *Provided*, That no contract shall be made or entered into by said company with any government or power with which the government of the United States is at war.

Objects and business.

SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the directors.

Transfers.

SECTION 6. That dividends may be declared and paid at such periods as the directors may order, but such dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation in their individual capacity for the excess so divided and paid.

Dividends.

SECTION 7. That subscriptions to the stock may be made and paid in cash or personal estate, and if in personal estate, at a valuation to be agreed upon by a majority in interest of the stockholders.

Payment of subscriptions.

SECTION 8. That all transfers of stock in said company shall be entered on the stock books thereof; and the said company shall keep an office for the transaction of its business in the city of Philadelphia.

Record of transfers.

SECTION 9. That the said corporation shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law.

Bonus to state.

SECTION 10. That the stockholders of said company shall be individually liable for all sums of money due to the workmen, agents, clerks and persons employed by said company, and shall be further liable for all debts and contracts made by said company to the amount remaining unpaid on the shares of stock by them respectively held.

Liability of stockholders.

SECTION 11. This act of incorporation shall expire at the end of twenty years, unless renewed or extended by the legislature; and the legislature hereby reserves the right to alter, amend or

Limitation.



## LAWS OF PENNSYLVANIA,

annul this charter at any time, in such manner, however, as to do no injustice to the corporators.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 312.

## AN ACT

To authorize the Guardian of Franklin Meyer Berger to sell certain Real Estate.

WHEREAS, Franklin Meyer Berger, a minor, is by the death of his mother entitled to some real estate, situate in part within the limits of several counties: *And whereas*, the expenses necessarily incurred by the proceedings in the orphans' court of the respective counties to effect a sale to promote the true interests of Franklin M. Berger would absorb the greater part of the proceeds of sale; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Franklin P. Meyer, guardian of Franklin Meyer Berger, be and he is hereby authorized and empowered to sell and convey at public or private sale, all and any interest in and of any real estate of or belonging to the said Franklin Meyer Berger: *Provided however*, That the said guardian execute and file a bond with sufficient surety, in the office of the clerk of the orphans' court of the county wherein the lands sold, or to be sold, are located, to be approved by the orphans' court or one of the judges thereof, for the faithful appropriation of the proceeds of said sale.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 313.

## AN ACT

For the Relief of Joseph and Catharine Pine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized to pay Joseph and Catharine Pine, for damage sustained by them by the destruction of the house of B. J. V. Miller by fire, on the Columbia and Philadelphia railroad, as per award of the canal commissioners, dated May third, one thousand eight hundred and fifty-four, three hundred dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 314.

## AN ACT

For the relief of Eleanor Hillary, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized to pay to Eleanor Hillary, of Fayette county, widow of Ashburn Hillary, an old soldier, a gratuity of forty dollars, and an annuity of forty dollars during her natural life, payable half yearly, commencing the first of January and July.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 315.

## AN ACT

Authorizing the payment of certain moneys to the Orphans' Asylum of Lancaster.

WHEREAS, By section ten of an act, entitled "An Act granting aid to the Pittsburg hospital for the destitute sick and insane of western Pennsylvania, and to incorporate the orphans' asylum of Lancaster, and to provide for the education of the deaf and dumb in this commonwealth," approved the fourth day of April, Anno Domini one thousand eight hundred and thirty-eight, provided for the payment to the trustees of the orphans' asylum of Lancaster, the sum of one thousand dollars per annum, for the term of ten years:

*And whereas,* But six thousand dollars of the said appropriation has been paid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to the trustees of the orphans' asylum of Lancaster, the sum of one thousand dollars per annum, for the term of four years, the same to be paid in sums of five hundred dollars each, on the first day of July and January of each year, being the amount in full appropriated by the tenth section of the act approved fourth April, one thousand eight hundred and thirty-eight.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 316.

## AN ACT

To confer on the District Court of Allegheny county certain powers relative to non-suits.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the provisions of the seventh section of the supplement to the act, entitled "An Act to establish the district court for the city and county of Philadelphia," passed the twenty-eighth day of March, one thousand eight hundred and thirty-five, be and they are hereby extended to the judges respectively of the district court for the county of Allegheny.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 317.

## AN ACT

Giving the Courts power to fix the time and places of holding Elections for Directors of Independent School Districts in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of Wayne county, in erecting and establishing independent common school districts, in pursuance of the fifth section of an act of the general assembly, approved the eighth day of May, one thousand eight hundred and fifty-five, shall have power to fix the time and place for holding the election of directors thereof; and the qualified voters of said district shall at the time and place so fixed elect six directors, two to serve for one year, two to serve for two years, and two to serve three years; and said court shall also appoint the officers for holding said election, and said qualified voters shall annually thereafter elect two persons as school directors, and also one judge and two inspectors of election; and the duty of said judge and inspectors shall be to hold elections for directors, and make returns of said election according to law now in force governing such elections, and all elections held, or that may be held hereafter, on any day fixed by said court, shall be as good and valid as if said day had been fixed in pursuance of this act; vacancies in said board of school directors shall be filled in accordance with the provisions of the seventh section of an act for the regulation and continuance of a system of education by common

schools, approved the eighth day of May, one thousand eight hundred and fifty-four.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 318.

## A SUPPLEMENT

To an act relative to the Barryville and Shohola Suspension Bridge Company, approved the third day of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the first section of the act approved the third day of April, one thousand eight hundred and fifty-six, entitled "An Act relative to the Barryville and Shohola Suspension bridge company," be and the same is hereby repealed, and that hereafter the rates of toll on said bridge shall at no time exceed the following charges, namely: For every vehicle or sleigh drawn by two horses or oxen, twenty-five cents; for every vehicle or sleigh drawn by one horse, twelve and a half cents; for every horse with rider, nine cents; for every led horse, six cents; for every foot passenger, three cents; for every man and barrow or hand wagon, six cents; for every head of cattle, three cents; for every head of sheep, hogs or calves, two cents.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 319.

## A SUPPLEMENT

To the act incorporating the Frankford and Germantown Turnpike Road Company, approved the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for the Frankford and Germantown turnpike road company, in the county of Philadelphia, to enter upon or locate, make or construct any part of said turnpike road on, in or through any grave yard or burial ground or grounds in said county of Philadelphia.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 320.

## SUPPLEMENT

To an act to repeal the Seventh Section of an act incorporating the Roxborough Lyceum, approved the eighth day of May, one thousand eight hundred and fifty-four, and to vest the Trust of certain School Property in the city of Philadelphia, approved the thirteenth day of February, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia be hereby authorized and empowered to make an appropriation for the erection or building of a suitable public school house on the school property vested in the city of Philadelphia, by an act approved the thirteenth day of February, one thousand eight hundred and fifty-seven, entitled "An act to repeal the seventh section of an act incorporating the Roxborough lyceum," approved the eighth day of May, one thousand eight hundred and fifty-four.

Building of  
school house au-  
thorized in Twen-  
ty-first ward.

Construction of  
act of 1854.

SECTION 2. That so much of the thirty-eighth section of an act, entitled "An act to incorporate the city of Philadelphia," approved the second day of February, one thousand eight hundred and fifty-four, "that no debt shall be incurred or loan made by the city," shall not apply to a debt or loan incurred for the erection or building of said public school house in the Twenty-first ward of the city of Philadelphia.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 321.

## AN ACT

Relative to the sale of the Old School-house property in the village of New Holland, in Lancaster county.

Sale of certain lot  
of ground.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Lutheran congregation or church in the village of New Holland, in Earl township, Lancaster county, and the trustees of the old school house in said village, be and they are hereby authorized and empowered jointly to sell at public or private sale, as one whole, or in such pieces or parcels as they may think proper, all that certain lot of an half acre of land with a building thereon erected, situate in the said village of New Holland, being the same lot of land which the trustees of the said congregation by deed of date fifth of August, one thousand seven hundred and eighty-six, recorded in the recorder's office of said county in book S, volume five, page thirty, granted and conveyed unto Michael Kinzer, Jonathan Roland, Frederick Seeger, John Luther and others, for school purposes, and no other purpose whatsoever, as set forth in said deed, adjoining lands now of Isaac E. Heister, esquire, Roland Diller, John Styer, the said congregation and others, and execute and deliver unto the purchaser or purchasers thereof deeds of conveyance therefor in fee simple.

Division of pro-  
ceeds.

SECTION 2. That the purchase money of the said lot of land and premises shall be divided between the trustees of the said congregation of the one part and the said school trustees of the second part, in such manner that after first deducting all the

expenses attendant upon, and connected with the said sale, from the moneys or fund now in the hands of the school trustees, arising or proceeding from the rents and other incomes of said school property, the trustees of the said congregation shall be entitled to and receive so much more than the one-half of the proceeds of said sale as shall be equal to the one-fourth of the balance of the remainder of the said moneys and funds in the hands of the school trustees, and the school trustees shall be entitled to the remainder of the proceeds of said sale, and the remainder of the said moneys in the hands of the school trustees.

SECTION 3. That the share or portion of the proceeds of sale of the said lot of land and premises, and of the moneys and funds now in the hands of the school trustees to which the school trustees may be entitled as aforesaid shall, by the school trustees and their successors, be invested and kept, and continued invested at interest upon sufficient security, and when by them thought proper, called in and re-invested until the principal and interest together with the moneys and estates for the same purpose from any other sources, if any, shall in the whole amount to a principal sum of not less than one thousand dollars, and thereafter the interest and incomes of such principal sum, or so much thereof as the trustees at the time being, or a majority of them, may think proper, shall from time to time be applied to and towards the establishment and maintenance of one or more public schools in the said village of New Holland, to be open and in operation in such portions and periods of every year as the common schools may not be in operation in said village, and under such rules and regulations as a majority of the trustees at the time may order and direct.

Investment of  
share of school  
trustees.

SECTION 4. That the original or fundamental rules of the said school institution be so changed as to require only five trustees instead of thirteen, as directed by said original or fundamental rules, and that the present four trustees are hereby authorized to appoint another, and those five to continue in office three years from the passing of this act, and until their successors be elected, and that an election for trustees be held every three years thereafter, as directed in the said original or fundamental rules, and any vacancy may be filled by a majority of those remaining in office, and such appointment to remain good until the next general election.

Number of trustees fixed.

Vacancies.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 322.

## AN ACT

Relative to M'Kee street, in the borough of Birmingham.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it may and shall be lawful for the president and managers of the Birmingham and Pittsburg bridge company to locate and erect the southern abutment of their bridge upon the mouth or northern end of M'Kee street, in the borough of Birmingham, and for such purpose to occupy so much of said street as may be necessary, with authority at their own expense to alter the grade of said street so as to accommodate it to the use of said bridge, doing as little damage as possible to said street, and not interfering with the grade of Neville street; and all that part of the first section of an act relating to said company, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, which occurs after the words, "And provided further," be and the same is hereby repealed.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 323.

## AN ACT

To authorize the Orphans' Court of Allegheny county to grant a review of the administration account of John H. Boughman, administrator of Andrew Hendrickson, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the orphans' court of Allegheny county, on the petition of any party in interest, to grant a review of the administration account, and auditor's report, and decree of distribution thereon, of John H. Boughman, administrator of An-*

drew Hendrickson, late of Versailles township, Allegheny county, deceased, with the same effect as if application had been made within five years next after such decree: *Provided*, That application for the same be made within six months after the passage of this act: *And provided further*, That the costs of said review shall in all cases be paid by the party applying for the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 324.

## AN ACT

To vacate part of Cross Cut street, in Ross township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of Cross Cut street, in Jacob Dellinbaugh's plan of lots, in Ross township, Allegheny county, in this commonwealth, as is supplied by the Saw-mill Valley plank road, commencing on the easterly side of said plan, and extending westerly to the point where said road diverges from the line of said street, be and the same is hereby vacated.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.



No. 325.

## AN ACT

Relative to Roads and Bridges in Jackson township, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the supervisors of the township of Jackson, in the county of Huntingdon, within twenty days after their election, and annually thereafter, to divide the public roads as well as the new roads thereafter to be opened during the same year, in said township, into a convenient number of sections, which they shall number and describe in a book kept by them for that purpose; they shall also distinctly specify therein what they deem necessary for the improvement and keeping in good repair said public roads, for one year; and when said supervisors shall have so laid out and divided the public roads as aforesaid, they shall give ten days' notice, in at least six handbills by them put up in the most public places in said township, designating the time and place for the taxable inhabitants of said township to meet; at which time and place it shall be the duty of the said supervisors to attend, and sell out at public sale, for the term of one year as above, to the lowest and best bidder of the taxable inhabitants of said township, the said sections of the public roads and bridges, according to the terms specified, one section at a time, until all are sold; they shall have authority to adjourn the sale from day to day until all are sold: *Provided*, That the supervisors shall not be allowed, either directly, indirectly or subsequently, to purchase or contract for any section of road.

SECTION 2. That any person or persons who shall purchase a section of road as aforesaid, shall write his or their name or names respectively in the supervisor's book, opposite to the section or sections so purchased, together with the amount for which he agrees to keep the section in good repair for one year.

SECTION 3. That it shall be the duty of the contractors to keep their sections in good and substantial repair, according to the terms of their contract; and if any contractor shall refuse or neglect to keep his or their section in good repair, according to the terms of agreement, upon complaint of any person made to the supervisors, or either of them, it shall be the duty of the supervisors, or either of them, to examine the section complained of, and if there shall be cause of complaint, they or either of them shall notify the contractor to put his section in good repair; and if he shall fail or neglect to do so for ten days after being notified, it shall be the duty of the supervisor to repair the same, keeping a strict account of the money he expends in making said repairs, and shall withhold the payment of that amount from the contractor.

SECTION 4. That should the supervisors fail to let or sell any part of the public roads or bridges, at prices or rates in their

Duties of supervisors of roads.

Repair of roads to be let.

Terms of sale to be noted.

Duty of contractor.

Roads to be repaired.

opinion satisfactory, they shall proceed and keep in good repair, by employing hands, et cetera, the roads and bridges unsold as aforesaid, and be allowed to retain the amount so expended out of the taxes collected by them.

SECTION 5. That the supervisors of said township shall levy Tax to be levied. and collect each year a sufficient amount of tax from the taxable inhabitants thereof, to pay the contracts made by them agreeable to the provisions of this act, and shall be allowed to retain five per cent. for collecting and paying over said tax, and shall be allowed one dollar for each and every day necessarily engaged in letting and inspecting the condition of said road.

SECTION 6. That should any dispute arise between the supervisors and contractors growing out of the contracts made by them, if they fail to agree, each party shall choose a man, and the two so chosen shall choose a third, to whom all matters in dispute shall be referred, and their decision, or a majority of them, shall be final in the case. Settlement of disputes.

SECTION 7. That it shall be the duty of the said supervisors to keep a fair and strict account, in a book provided for the purpose, of all moneys received or expended by them, or either of them, on behalf of the township; and such accounts, verified by oath or affirmation, shall be exhibited to the township auditors at the annual settlement of the accounts of said township. Accounts.

SECTION 8. If any supervisor shall neglect or refuse to perform the duties enjoined upon him by this act, he shall forfeit and pay a sum not less than ten dollars, nor exceeding fifty dollars, to be recovered in a summary way by action of debt, in the name of the commonwealth, before any justice of the peace in the county, to be applied towards repairing the highways of the said township: *Provided*, That such supervisors may appeal from the judgment of such justice to the next court of quarter sessions, who shall take such order thereon as to them shall appear just and reasonable, and the same shall be final and conclusive. Penalty for neglect of duty

SECTION 9. That so much of any law as is inconsistent with the provisions of this act, is hereby repealed, so far as it relates to said township. Repeal

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No 326.

A N A C T

To appoint Commissioners to view and lay out a State Road in Warren and Venango counties.

Commissioners.

Route.

Duty of commis-  
sioners.

Mark route.

Draft.

Pay of commis-  
sioners, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Warner Perry, J. L. Acocks, of Warren, and J. Y. Siggins, of Venango county, are hereby appointed commissioners to lay out, by courses and distances, a state road from Pittsfield, Warren county, via Enterprise to Pleasantville, in Venango county, which shall not exceed three degrees, unless it be at the crossing of ravines and streams, where by moderate filling and bridging the declination of the road may be preserved within that limit.*

SECTION 2. That it shall be the duty of the commissioners, or a majority of them, in choosing the ground, to have due regard to the crossing of water, to the declination and nature of the ground, to the expenses of the townships, to the damages to private property, and to all other circumstances affecting the route, so that by a judicious and skilful combination of them the route finally adopted may best promote the public good.

SECTION 3. That it shall be the duty of the commissioners, plainly and distinctly to mark upon the ground the route agreed upon for the road as aforesaid, in such manner as to enable the supervisors readily to find the same. And for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorized to employ two chain bearers, one axeman and one staff bearer at a per diem allowance not exceeding one dollar.

SECTION 4. That it shall be the duty of the commissioners to make out a full and accurate draft of the said location, noting thereon the courses and distances from point to point as they occur, the improvements they pass through, and also the crossing of county and township lines, roads or waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the secretary of the commonwealth on or before the first day of December next, and one copy in the office of the clerk of the court of quarter sessions of the respective counties aforesaid, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof, and thenceforth the said road shall be to all intents and purposes a public highway, and shall be repaired in all respects as roads are repaired which are laid out by order of the courts aforesaid.

SECTION 5. That the compensation of the commissioners shall be one dollar and fifty cents each, for every day necessarily employed by virtue of this act; and the accounts of the said commissioners for their own pay, and the pay of their hands as aforesaid, shall be adjusted and allowed by the commission-

ers of Warren and Venango counties, and paid by the treasurers thereof, on warrants drawn in the usual way, each county to pay in proportion to the length of road in such county the expenses incurred in laying out the same; and if any vacancy or vacancies shall happen by the resignation of one or more of the commissioners, or by any other cause, the governor is hereby authorized to fill the vacancy or vacancies by a suitable appointment.

SECTION 6. That it shall be the duty of the said commissioners to take from each and every person or persons owning lands along the roads by them respectively to be laid out, acquittances or releases from any blame or damages, upon the condition that such road shall pass through such person or persons' land or lands, and to file the same in the commissioners' office in the proper county. Releases

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 327.

## A N A C T

Authorizing the laying out of a State Road from Muncy, Lycoming county, by way of Lairdsville, to Laporte, Sullivan county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Laird and Thomas Lloyd, of Lycoming county, and Robert Taylor, of Sullivan county, are hereby appointed viewers to view, lay out and mark a state road beginning at Muncy, Lycoming county, and thence by the way of Lairdsville, to Laporte, Sullivan county. Commissioners.  
Route.

SECTION 2. That it shall be the duty of said commissioners, after being duly sworn or affirmed before some judge or justice of the peace to perform the duties enjoined by this act with fidelity, carefully to view the ground over which said road is to pass, and lay out the same of such width as is provided by law in cases of roads laid out by direction of the courts, and shall distinctly mark the road so laid out by them. For their services said commissioners shall receive the sum of one dollar and fifty cents per day; if either of them shall act as surveyor Duties and pay.

he shall receive the additional sum of one dollar per day; said commissioners may employ two chain carriers and one axeman at a sum not exceeding one dollar per day each. In case neither of said commissioners shall act as surveyor, then they may employ a surveyor at the sum of two dollars per day.

*Drafts.*

SECTION 3. That said commissioners shall make out a full and accurate draft of the road so laid out by them, stating the width of the same, and file copies thereof in the office of the clerk of the courts of quarter sessions of the said counties of Lycoming and Sullivan, and from thenceforth the said road shall be held and deemed a public highway, and shall be opened and repaired as roads laid out by the courts are made, opened and repaired.

*Vacancies.*

SECTION 4. That the said road shall be laid out and reports thereof filed as aforesaid before the first day of November next; if any one of said commissioners shall die, remove, refuse or be unable to act, his place may be filled by the other commissioners, and in case of vacancy in all, the same may be filled by the court of quarter sessions of Lycoming county.

*How expenses paid.*

SECTION 5. That the compensation of said commissioners, and the chain carriers, axeman and surveyor employed by them, shall be paid by the county of Lycoming, and orders therefor shall be issued by the county commissioners of said county upon the treasurer thereof in the usual manner.

*Damages.*

SECTION 6. That the parties through whose land said road shall pass shall be entitled to the same damages, to be recovered in the same manner, as in cases of roads laid out by the courts of quarter sessions.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 328.

## AN ACT

For the relief of Jane Flood, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized and required to pay to Jane Flood, of Westmoreland county, widow of a soldier of the Revo-*



lutionary war, a gratuity of forty dollars and an annuity of forty dollars, payable half yearly during the term of her natural life, commencing on the first days of January and July.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 329.

## AN ACT

Relative to opening a State Road in the township of Lower Merion, approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the supervisors of Lower Merion township, county of Montgomery, shall be and are hereby required to call a meeting of the taxable citizens of said township upon at least ten days' notice, to be put up in at least twelve public places in said township, designating distinctly the time and place, where and when such meeting shall be held, to consider the propriety of letting out by contract the opening and grading of any part of the whole of a state road laid out by the commissioners under the act of the general assembly, approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six, through said township.

Meeting to be called

SECTION 2. That at a meeting of the citizens of said township, assembled as aforesaid, it shall be the duty of a majority of them to decide whether the said state road to be opened, or any township bridges or culverts to be constructed in the making of said road, shall be let out to the lowest bidder, or to any person who shall offer to do the same for a stipulated price, to be opened and erected in the manner now directed by law.

Meeting to decide relative to road, &c.

SECTION 3. That in case it shall be decided by a majority of said meeting, that the work to be done shall be awarded to any person or persons who shall have presented the terms of the contract to said meeting, then it shall be the duty of the said supervisors to contract with the person or persons aforesaid to do the said work as directed by a majority of the meeting aforesaid: *Provided,* That the contractor or contractors aforesaid

Contract to be made.

shall give satisfactory security to the supervisors, (which security shall be approved of by the meeting aforesaid,) that they will perform the work according to contract and the act of assembly and laws relative to said road.

Viewers to be appointed.

SECTION 4. That the contract for any work let under this act shall be in writing, signed by the supervisors and the contractors, in duplicate forms, together with the security, one of which shall be retained by each party, and when the work is alleged to be completed, the court of quarter sessions of said county, upon petition to that effect signed by either of the parties or any citizens of said township, shall appoint three disinterested citizens of said county, whose duty it shall be to inspect the work and report to the court whether the same has been performed according to contract, the act of assembly laying out said road, and the road laws of said county, and when so reported and the report confirmed by the court, it shall be the duty of the supervisors to pay the contract price out of the first money in their hands for the work aforesaid: *Provided*, That said road need not be graded to a greater width or breadth than twenty-five feet, if the cuts or embankments shall exceed one foot in height or depth.

Power of the courts to order views and reviews.

SECTION 5. The court of quarter sessions of Montgomery county shall have power, upon the petition of citizens of said township, by view and review, to change or supply by a new route, any part of the route of said road within said county, and thereupon to vacate so much of the said road as shall be supplied, which view and review (if a review be had) shall be proceeded in as is provided by the general road laws of this commonwealth: *Provided*, That no change shall be allowed, which shall make the same of greater ascent or descent than five degrees from a horizontal line: *And provided further*, That no part shall be vacated unless it be supplied by another route or road connected with the points of beginning and ending.

Work to be suspended.

SECTION 6. That all work upon said road shall be suspended by the supervisors of said township, until any proceedings which may be commenced in said court shall be finally determined.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 330.

## AN ACT

To authorize the Auditor General to open and re-audit the account of George S. Hays, late Prothonotary of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and he is hereby directed to open and re-settle the account of George S. Hays, late prothonotary of Allegheny county, and in the said re-settlement the auditor general is hereby authorized and directed to inquire into and investigate, by parol evidence, the alleged circumstances of the loss by fire of a written receipt for a payment made by him the said prothonotary, on account of his debt due to the commonwealth, and also to give him credit for the amount, if satisfied of the correctness of the said allegation, hereby retaining unimpaired the liens against the said George S. Hays, and his sureties, by virtue of the judgment as well as the settlement or settlements made and filed by the accounting officers of the commonwealth. That upon the final settlement of the account of the said George S. Hays, he and his sureties shall be allowed one and two years, by equal instalments, to pay the said balance, and upon its payment the simple interest shall be charged, and the penalties shall be released: *Provided,* That the evidence of the existence of said receipt shall be furnished to the auditor general within six months from the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 331.

## AN ACT

To incorporate the Schuylkill Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

**Commissioners.** Peter Seiberling, Gideon Whetstone, Reuben Billman, J. Kistler, Jacob Longacre, John Hendricks, James Coddington, Thomas Birkbeck, O. Witman, R. A. Heaton, of the county of Schuylkill, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Schuylkill turnpike road company, with power to locate and construct a turnpike road from the borough of Tamaqua, in the county of Schuylkill, to Gideon Whetstone's tavern, in the township of West Penn, in said county, commencing at a point where Centre street, in the borough of Tamaqua, intersects the West Penn road on the site of said road, or otherwise, as the said company may direct, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

**Style.**

**Route.**

**Subject to.**

**Capital.** SECTION 2. That the capital stock of said company shall consist of five hundred shares, of twenty dollars each: *Provided*, That the said company may from time to time, by a vote of its stockholders, at a meeting called for that purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true intent and meaning of this act.

**Limitation.** SECTION 3. That the said company may commence the construction of their road at any intermediate point: *Provided*, That such commencement shall be made within three years after the passage of this act; and should the said company fail to complete their road within seven years from and after the same shall have been commenced, then this act shall be null and void, excepting so far as the same may be necessary for the purpose of settling the affairs and paying the debts of said company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 332.

## AN ACT

Supplementary to an act, entitled "An Act to incorporate the Honesdale and Mast Hope Plank Road Company, in Wayne and Pike counties, and for other purposes," approved the thirteenth day of April, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly*

*met, and it is hereby enacted by the authority of the same, That the Honesdale and Mast Hope plank road company be released from the restrictions of the sixth section of the act of April the thirteenth, one thousand eight hundred and fifty, incorporating the said Honesdale and Mast Hope plank road company, requiring said company to complete their road within six years from the passage of this act.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 333.

## AN ACT

To empower William Duane to close a certain Trust.

WHEREAS, A certain bond, and the mortgage accompanying the same, of a certain lot or piece of ground on the east side of Schuylkill Third, now Twentieth street, at the distance of sixty-six feet nine inches northward from the north side of Filbert street, in the city of Philadelphia, containing in breadth on the said Third street fifteen feet, and in length sixty feet, both bearing date the first day of April, Anno Domini one thousand eight hundred and thirty-four, and the said mortgage recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in mortgage book A M, number eighteen, page seven hundred and twenty, be given by Robert Dempster, of the county of Philadelphia, to William Kates, of the city of Philadelphia, to secure the payment of eleven hundred and twenty-five dollars, in one year from the date thereof, are now vested in William Duane, of the city of Philadelphia, in trust for the sole use of Ann Hardy, late Ann Habacker, widow of William H. Hardy, of the city of New York, her heirs and assigns, forever:

*And whereas, All the children of the said Ann Hardy have petitioned that authority may be given to the said William Duane, trustee, to collect and pay over the principal money secured by the said bond and mortgage, to their mother, the said Ann Hardy, and close the said trust, in which petition the said trustee has joined.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



it shall and may be lawful for the said William Duane, trustee as aforesaid, to collect the principal money due upon the above mentioned bond and mortgage, and pay over the same to the above named Ann Hardy, of the city of New York, and thereupon the trust now existing as to the same shall forever cease and determine.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 334.

## AN ACT

Relating to Inquisitions in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any inquisition which may have heretofore been held by any sheriff or coroner of the county of Erie, upon real estate, by virtue of any writ of partition or fieri facias, issued out of any of the courts of said county, shall not be deemed or held invalid in consequence of any deputy or under sheriff having acted a juror on any such inquisition; and that all such inquisitions being otherwise regular and lawful, are hereby declared to be valid and binding upon all parties interested: Provided, That nothing in this act shall in anywise interfere with any suit or action which may have already been commenced in said county.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 335.

## AN ACT

To authorize the Allegheny Valley Railroad to issue a Preferred Stock.

WHEREAS, The stockholders of the Allegheny Valley railroad company, at their annual meeting held in the city of Pittsburg on the third day of February, one thousand eight hundred and fifty-seven, by unanimous consent and direction, ordered the board of managers to procure the necessary legislation to enable the company to issue a preferred stock, the proceeds to be applied to the extension of the works of said company to the mouth of Mahoning, in Armstrong county, and the Pennsylvania canal in Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Allegheny Valley railroad company are hereby authorized and empowered to create, by resolution of the board, a preferred stock to the amount of two hundred and fifty thousand dollars, said stock to bear such interest as the board may determine, not exceeding twelve per centum per annum, and to issue certificates of said stock to parties entitled thereto, obligating said company to the regular semi-annual payment of said interest in preference to and before payments shall be made to other stockholders: *Provided,* That the proceeds of said stock shall be specifically applied towards the extension of said railroad, from its present termini to the mouth of Mahoning, in Armstrong county, and to the Pennsylvania canal in Pittsburg: *And provided,* That by public notice, published in at least one newspaper in each of the counties of Allegheny, Armstrong, Westmoreland, Clarion and Jefferson, the said preferred stock shall be first offered to the present stockholders, and be at their refusal for such period as may be designated in said notice.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 336.

## A FURTHER SUPPLEMENT

To the act to incorporate the Swatara Railroad Company, formerly the Swatara and Good Spring Creek Railroad Company, approved the second day of April, Anno Domini one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Swatara railroad company are hereby authorized to borrow as much money, not exceeding five hundred thousand dollars, as may be authorized at a special meeting of the stockholders, for the purpose of paying off existing liabilities, and for the purpose of making such further and other improvements, and re-locations, and extensions of their said road, and for other purposes, as shall be determined upon, at any rate of interest not exceeding eight per centum per annum, and may make the principal of the said loan convertible into the capital stock of the company at the option of the holder, or on such terms as may be agreed upon; to make the principal and interest of said loan payable at such times as may be deemed advisable, and for the security thereof, to execute the bonds and other evidences of indebtedness of the company in any sums not less than one hundred dollars each, with coupons attached, and to secure the payment of the sums by a mortgage or deed of trust of the railroad, locomotives, cars and other property of the company, and of its rights, privileges and franchises, and the said railroad, property and franchises, in the event of a sale under the said mortgage or deed of trust, shall pass to the purchaser or purchasers free from any incumbrance, lien or liability subsequent to the said mortgage or deed of trust; and the said bonds and other evidences of indebtedness may be sold for less than par, so as to give the holder or holders thereof the right to demand and receive the full amount payable by the terms thereof: *Provided,* That all debts against the said company, for ties, wood or materials furnished, or damages ascertained, or labor performed along the line of said road, or any liabilities heretofore incurred by the said company in the purchase of locomotives, shall be paid in full, or satisfactorily secured to the creditor, up to the creation of the first mortgage under this act, otherwise the said mortgage shall have no validity as against such debt or claim.

SECTION 2. That said company shall have the right and privilege, under the provisions of the several acts of assembly relative thereto, for taking property, and settlement and payment of damages, to make any practicable or feasible connection of their road that they may deem expedient, at any point within the county of Schuylkill, with the Philadelphia and Reading railroad, and with the Dauphin and Susquehanna railroad, and with the

May borrow  
money.

And execute  
bonds and mort-  
gage.

Provide.

May make con-  
nections.

Schuyllkill navigation, and to build docks, wharves or landings, and lease the same at such rental as may be agreed upon.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 337.

AN ACT

For the relief of Mary Williard, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay to Mary Williard, widow of an old soldier, of Armstrong county, a gratuity of forty dollars, and that he also pay her an annuity of forty dollars per annum, during her natural life, to commence on the first day of January, Anno Domini one thousand eight hundred and fifty-seven, payable semi-annually, on the first days of January and July, out of any moneys in the treasury not otherwise appropriated.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 338.

## A SUPPLEMENT

To an act relative to the laying out of a certain State Road from Curwinsville, Clearfield county, through the towns of Indiana and Saltsburg, in Indiana county, and through Westmoreland county to East Liberty, in Allegheny county, and for laying out certain State Roads, and for other purposes, approved the sixteenth day of April, Anno Domini one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the nineteenth section of the act passed the sixteenth day of April, Anno Domini one thousand eight hundred and thirty-eight, shall be and the same are hereby extended to mines of iron ore and other minerals: Provided, That no such road hereafter laid out under said act, or the supplement thereto, shall exceed twenty-five feet in width.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 339.

## A SUPPLEMENT

To an act to incorporate the Harmonia Sacred Music Society of Philadelphia, approved the fourth day of May, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said corporation shall from and after the passage of this act, have the power to confer the degrees of Bachelor and Doctor of Music, and to grant diplomas to such persons as the said corporation may deem worthy to receive them.*

SECTION 2. That the said corporation shall hereafter be governed by a board composed of not less than twenty-four directors, and



the first election under this act shall be held on the fourth Monday of November next.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 340.

## AN ACT

To amend the Road Laws of Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers appointed by the judges of the court of quarter sessions of Bucks county, shall be three, all of whom shall view, and a majority decide, in all cases of view or review, or any subsequent review, if the said court shall so order and direct; that each of the said viewers so appointed, shall receive two dollars per day, and ten cents a mile for every mile necessarily traveled: *Provided,* That said mileage does not exceed one dollar for each viewer.

Number of  
viewers.

Pay.

SECTION 2. That before any view in any of the cases above mentioned, public notice shall be given in at least two newspapers published in the county of Bucks, for three successive weeks, of the time and place of meeting, signed by the viewers so appointed.

Notice.

SECTION 3. That if the viewers, after being duly qualified, shall decide in favor of locating a public road, they shall endeavor to procure from the owners of lands over which it shall pass, releases in writing of all claims to damages that may arise from opening the same, and if they fail to procure releases they shall assess the damages, if any to be done thereby, and return the same, together with the releases obtained, to the court, to be filed and entered.

Releases.

SECTION 4. That if the said court shall be satisfied that the amount of damages assessed in any case is such that the public interest will be subserved by the payment and opening of the road, they shall confirm such view, review or subsequent view and assessment, which shall be paid as directed by law; but if the said court shall not be satisfied the report shall not be confirmed,

Damages.

unless the damages so assessed be first paid by the petitioners, or others interested.

Expenses, how paid.

SECTION 5. That the court charges, advertising, pay and mileage of the viewers, shall be paid by the petitioners, or others interested, whose duty it will be to furnish a draft or plot of the road so viewed for opening or vacation.

Repeal.

SECTION 6. That all laws inconsistent herewith, and applicable to the county of Bucks, be and the same are hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 341.

## SUPPLEMENT

To an act relating to Assignees for the benefit of Creditors and other Trustees.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sixth section of the act, entitled "A supplement to an act relating to assignees for the benefit of creditors and other trustees, relating to executors and other trustees taking other thing than money in payment on sale of trust estates," approved the third day of May, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed.*

Extension of former act.

SECTION 2. That the provisions of the first section of the above entitled act, approved the third day of May, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby extended to assignments which may have been made before the passing of the said supplemental act, and the supreme court, in the respective districts, shall have concurrent jurisdiction with the courts of common pleas of the several counties, as in other cases under the said original act and its supplements.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 342.

## AN ACT

Authorizing the State Treasurer to pay Certain Claims for Damages on the Erie Extension of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay, out of any moneys in the treasury not otherwise appropriated, to Samuel Clarke, junior, the sum of two hundred dollars; to William Hawkins, the sum of one hundred and fifty dollars; to Charles S. Quimby, the sum of one hundred dollars; and to Andrew M'Knight, the sum of ninety dollars, in full in each and every of these cases, for damages by them sustained by the construction of the Erie extension of the Pennsylvania canal, as per award of the canal commissioners, made in the year one thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 343.

## AN ACT

For the relief of Sarah Duff, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay to Sarah Duff, of Armstrong county, widow of a soldier of the Indian wars, a gratuity of forty dollars and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-

## LAWS OF PENNSYLVANIA,

seven, and payable half yearly thereafter on the first days of January and July.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 344.

## AN ACT

For the relief of Elizabeth Shields, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized to pay to Elizabeth Shields, of Armstrong county, widow of John Shields, an old soldier, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, payable half yearly, commencing on the first day of January and July.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 345.

## AN ACT

For the relief of Mary Cunningham, widow of a soldier of the Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer is authorized and directed to pay to Mary Cunningham, of Lawrence county, a widow of a soldier of the Indian war, a gratuity of forty dollars, to be paid upon the passage of this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 346.

# AN ACT

To authorize the Licensing of Hawkers for the sale of Foreign Fruits in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the treasurer of the city of Philadelphia be authorized and empowered to issue licenses annually, to a competent number of responsible persons, resident of said city, as hawkers, to expose to sale and sell foreign fruits by retail in said city: Provided, That no one shall receive a license from said officer for said purpose, until he has first paid into the said city treasurer's hands, for the use of the city of Philadelphia, the sum of five dollars.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 347.

## AN ACT

To authorize the School Directors of Fairfield township, Crawford county, to build a Town and School House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the township of Fairfield, in the county of Crawford, are hereby authorized to levy and collect a township tax for the purpose of purchasing a lot of ground, not exceeding one acre, in said township, and erecting thereon a town and school house in such a way and manner as the parties may or shall agree upon. The said directors shall levy the aforesaid tax, not to exceed fifteen hundred dollars, upon all real and personal property, and all trades and occupations, and money at interest, and shall collect the same in money at the time, and in the manner and by the same authority that the school tax is now or may be hereafter collected, and if any unappropriated balance shall remain in the treasury of said township, after paying for said lot, and for the erecting of building, the balance shall be appropriated for the payment of any debt, or for the expenses of said township: *Provided*, That the aforesaid tax shall be collected and kept in a separate fund for the above mentioned purposes, and that the aforesaid town and school house shall be erected at a cost of not less than one thousand dollars, and shall be furnished for election and other township purposes: *And provided further*, That no part of said tax shall be levied until two hundred dollars shall have been raised and appropriated to said fund by private subscription.

Tax authorized  
for a special pur-  
pose.

Proviso.

Elections.

SECTION 2. That the elections in said township are hereby authorized and required to be holden in said town and school house from and after erection and completion of the same.

Commissioners.

SECTION 3. That Alexander Shaw, John Douglass, William Porter, and the said school directors, are hereby constituted and appointed commissioners, and they or a majority of them shall have power to select and fix the location of said school and town house.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 348.

## A N A C T

To extend the Powers of the Susquehanna Collegiate Institute and Normal School, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees and faculty of the Susquehanna collegiate institute, in the borough of Towanda, Bradford county, shall have all the powers usually exercised and possessed by other colleges of this commonwealth in the granting of diplomas and conferring degrees.

SECTION 2. That the buildings and grounds belonging to said institute be exempt from taxation while used by the institute.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 349.

## S U P P L E M E N T

To an act to incorporate the New Brighton Female Seminary, approved the twelfth day of February, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the New Brighton female seminary at the next annual meeting, or at any special meeting legally called for the purpose, are hereby authorized, by resolution, to be voted upon and to be determined by a majority of stockholders, to surrender the franchises of said corporation, if in the opinion of the corporation the object thereof cannot be longer promoted or secured; and the said resolution being duly certified to and filed in the office of the secretary of the commonwealth, the surrender of said franchises shall be deemed as accepted by the common-

wealth: *Provided however*, That the trustees appointed or directors thereof, shall be empowered to sell and convey the real and personal estate or property of said corporation to purchasers, on such terms as may be prescribed by the stockholders, and apportion the consideration thereof, after the payment of all debts and claims against the corporation, ratably among the stockholders.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 350.

## A FURTHER SUPPLEMENT

To an act relating to Counties and Townships and County and Township Officers, approved April fifteenth, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That in proceedings to erect a new township out of parts of two or more townships in this commonwealth, it shall be the duty of the court of quarter sessions of the proper county, when a return has been made by commissioners appointed under the provisions of the act to which this is a supplement, favorable to the erection of a new township, to order a vote of the qualified electors of the township from which the largest number of taxables to be embraced in the proposed new township is to be taken, and also of the qualified electors outside of such township, residing within the bounds of the proposed new township, to be taken on the question of the erection of a new township.

New townships  
out of two or  
more townships.

Vote to be taken.

Courts to fix time  
for vote being  
taken.

SECTION 2. That it shall be the duty of the said courts upon the return being made to them as aforesaid, to fix a day certain upon which the election officers of the township from which the largest number of taxables to be embraced in the proposed new township is to be taken, at which the qualified electors residing within the boundaries named in the first section of this act may vote, shall hold an election at the place fixed by law for holding township elections in said township, and be governed therein by the several laws of this commonwealth relating to township elections; and it shall be the duty of the constable of said township, or if there be no constable, then one of the supervisors or

road commissioners, to give at least fifteen days' notice of the time and place of holding said election, by posting not less than six written or printed handbills in the most public places in each of the townships which are to be divided by the formation of the proposed new township.

SECTION 3. That the ballots to be deposited by the electors, shall have written or printed on the outside thereof, the words "new township," and on the inside, the words "for a new township" or "against a new township." Ballots.

SECTION 4. That it shall be the duty of the officers of said election, after the polls have been closed agreeably to law, to count the ballots and certify within five days thereafter, the number of votes for and against a new township to the clerk of the court of quarter sessions of the proper county, who shall, after filing the said returns in his office, lay the same before the said court at the next session, and if it shall appear that a majority of the votes so taken, are "for a new township," the said court shall thereupon order and decree a new township agreeably to the lines marked out and returned by the commissioners; but if a majority of the votes have been given "against a new township," no further action shall be had upon said proceedings. Return of vote.  
  
Order by the court.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 351.

## AN ACT

To repeal the act of the tenth day of March, Anno Domini one thousand eight hundred and fifty-two, limiting the Commencement of Prosecutions for Misdemeanors to two years.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act, entitled "A further supplement to the penal laws of this state, to render their limitations uniform," approved the tenth day of March, one thousand eight hundred and fifty-two, shall not apply to prosecutions for offences committed by any officer or agent of any bank, savings institution or other corporation, or of any unincorporated association; but indictments for mis-*

demeanor may be commenced and prosecuted in all such cases at any time within six years from the time the alleged offence shall have been committed: *Provided*, That this act shall only apply to offences committed after its passage.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 352.

## AN ACT

Relative to Fishing with Nets in Middle creek, in the county of Snyder, and Penns creek, in the county of Union.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter it shall not be lawful for any person or persons to fish in Middle creek, within the county of Snyder, with seines, brush or scoop nets, (except from the dam known as Richter's dam to the Susquehanna river,) nor in Penns creek, within the county of Union, with seines, scoop nets or any other kind, by whatever name they may be called, with meshes less than one and a half inch, under a penalty of not less than two nor more than thirty dollars for every such offence, against any and every person so offending; which fine or penalty shall be recoverable by and for the use of any person suing for the same, before any justice of the peace of said counties, as debts of like amount are recoverable, with costs of suit: *Provided*, That no suit shall be sustained under this act unless commenced within forty days after the commission of the offence: *And provided further*, That persons in company so offending shall be jointly and severally liable.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 353.

## A N A C T

Relating to the Collection of Road Tax in the township of Springcreek,  
Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of the township of Springcreek, in the county of Warren, be and they are hereby authorized to collect fifty per cent. of the road tax assessed for the present year in said township, in money, to enable them to build a bridge over the Brokenstraw creek, on the state road, in said township; and the said commissioners are further authorized to issue their warrant to the collector of county rates and levies in said township, requiring him to collect the same in the same manner that county taxes are collected, pay the same over to the said commissioners, and settle his account with the township auditors, as in other cases of township officers.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 354.

## A N A C T

Authorizing a State Road from Dushore, Sullivan county, to the north corner of Harvey's lake, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Almond Goss, of Luzerne county, Asa S. Dana, of Wyoming Commissioners. county, and John Persun, of Sullivan county, be and are hereby appointed commissioners to view, lay out and mark a state road beginning at the village of Dushore, in the county of Sullivan, to a point at or near the north corner of Harvey's lake, in Luzerne county.

Their duties.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, having due regard to a straight and easy road for the public, that they shall clearly and distinctly mark the road in such a manner as shall render the route agreed upon readily found by the supervisors; and for fulfilling the duties enjoined by this act the commissioners shall be allowed two dollars per day, for every day they shall be necessarily employed in performing the duties assigned by this act; and said commissioners are hereby authorized to employ two chain bearers and two axemen, at a sum not exceeding one dollar and twenty-five cents per day each.

Drafts.

SECTION 3. That said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon the courses and distances, and the places, waters, county and township lines, with such other matters as may serve for explanation, and fix the width of said road at not less than fifty feet, one copy whereof shall be deposited in the office of the clerks of quarter sessions of the respective counties through which the road may pass, on or before the first day of October, eighteen hundred and fifty-seven, or as much sooner as practicable, and from thenceforth said road shall be a public highway, and shall be opened and repaired as other roads laid out by the courts are made and repaired.

Meeting.

SECTION 4. That said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as a majority of them shall agree upon, at Dushore, in Sullivan county, and complete the location of said road as soon as practicable, and if any vacancy shall occur by resignation or otherwise, it shall be filled by the other commissioners.

Road to be opened.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which said road may pass, upon notice given, to proceed at once and open and make said road as other roads are made, and on failing to comply, the said supervisors, or any of them, shall forfeit and pay a fine not less than ten dollars, to be collected in the name of the commonwealth, before a justice of the peace, as other fines are collected, and said fine shall be appropriated to the use of said road; the justice of the peace before whom information is lodged shall have power to appoint another person in the place of the supervisor refusing to perform the duties of this act, who shall be paid out of the funds set apart for the laying out, opening and repairing of roads in the township in which said person so refusing may reside.

May vacate road.

SECTION 6. That said commissioners shall have power to vacate any road, or part thereof, as may be rendered useless by this act, or shall have power to vacate any part of any road between the points mentioned by this act.

Expenses, how paid.

SECTION 7. That the commissioners shall draw on the commissioners of the counties through which the said road may pass, for their own pay and those employed by them under this act, who shall pay them out of the treasuries of the respective counties, according to the time actually required in locating and mak-

ing said drafts of the said road within the said respective counties: *Provided*, That the county of Luzerne shall not pay more than twenty dollars of said expenses.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 355.

## A N A C T

Regulating Fences in Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the proprietors of land, in the county of Erie, shall make and maintain sufficient fence or fences to secure their particular fields and enclosures; and all fences four and one-half feet high, and in good repair, consisting of rails, timber, boards or any combination thereof, and hedges, ditches, creeks and ponds, or other things which, in the judgment of the fence viewers having jurisdiction thereof, are equivalent thereto, shall be deemed legal and sufficient fences.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 356.

## AN ACT

Relative to Roads in Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where the court of quarter sessions of Indiana county shall hereafter appoint viewers to view, locate and lay out, or to view, vacate and supply any public or private road, or part of any public or private road in said county, the viewers appointed as aforesaid shall not proceed to view the same until the person or persons interested in said road view shall have caused at least two printed or written notices of the time and place of meeting of said viewers, to be posted in two or more public places in the neighborhood of said road, and one written or printed notice thereof to be served on one supervisor in each township through which said road may pass, at least ten days before the said time and place of meeting: *Provided,* That the said court may name one of the said viewers to post and serve the said notices: *And provided further,* That this act shall not take effect until the first day of June next.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 357.

## A SUPPLEMENT

To an act to incorporate the Spring Garden Plank Road Company of York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Spring Garden plank road may use discretionary power in arranging their tariff of toll so as to increase the amount on loaded wagons, and deducting the

amount so increased from the returned vehicle when unloaded: *Provided*, That in no case the amount of toll so charged for the round trip shall exceed the rates provided by law: that all carts, wagons, sleds or other vehicles of burthen, carrying over and above seventy hundred pounds, shall be charged double the rates of toll now provided by law.

SECTION 2. That from and after the passage of this act, no distinction in rates of toll shall be made between broad and narrow wheeled wagons, but that the rates of toll for narrow wheels shall be charged on all vehicles passing over the road.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 358.

## A SUPPLEMENT

To the act concerning Plank Roads leading from Erie to Meadville, passed the eighth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several plank road companies mentioned in the act to which this is a supplement, may and are hereby authorized to allow and provide for interest, not exceeding the rate of seven per centum per annum, on any bonds they may issue in pursuance of the act to which this is a supplement, and to secure the payment of the principal and interest thereof by mortgage upon any of the property, effects and franchises of the said companies.

May mortgage  
road.

SECTION 2. That the said companies, or the directors and managers thereof, may charge and collect tolls additional to those now chargeable by law upon any unusual burden or passenger vehicles upon and along their said roads respectively, which may be calculated to injure the same beyond the usual wear produced by ordinary carriages: *Provided*, That such addition shall not exceed twenty-five per centum for every five passengers above ten, and for every five hundred pounds above thirty hundred of freight; the capacity of such carriages and vehicles to be ascertained and determined by the number of passengers and weight of freight conveyed and transported at any one time on said road or roads.

Tolls.

Proviso.



Occupancy and  
repair of roads.

SECTION 3. That any of the said plank road companies heretofore authorized by law to occupy any other road of greater width than the plank road, may own and occupy and enjoy the whole width of such other road, and construct and repair the same accordingly, and may change the location of either, with the same width, whenever it may be necessary, in order to straighten the same or improve the grade of the road, without changing the general route or points thereof, and paying damages to the owners of land affected thereby, agreeably to the provisions of the acts of one thousand eight hundred and forty-nine.

May repair with  
stone, gravel, &c.

SECTION 4. That it shall and may be lawful for any of the said companies, whenever the ground on the route of such road may be suitable therefor, to repair or re-construct the same, or such portions thereof as may be advantageously so repaired or re-constructed, with stone, gravel or other hard substance, instead of re-laying with planks; but before so doing, they shall prefer their petition in writing to the court of quarter sessions of the proper county, setting forth the facts and circumstances, the portions of road and mode of repairing or re-constructing proposed; and thereupon the said court shall appoint three reputable, disinterested citizens to view and carefully examine the same, and make report thereon, setting forth the portions of road and manner in which the same may be repaired or re-constructed with advantage and convenience to the public; and when the same shall have been completed, the same viewers (and in case of the death or removal or inability or refusal to serve of any one or more of the viewers, the vacancy to be filled by the said court) shall again view and determine whether the repair or re-construction is made according to the recommendation of the first view; and upon their report approving the same, and being confirmed by the court, the same companies shall have and enjoy the same rights, privileges and franchises as if the same had been re-layed with planks.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 359.

## A N A C T

To incorporate the Glenn Hope and Independence Plank Road and Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Henderson, C. Jeffries, Benjamin Right, Israel Cooper, John A. Thompson, Abraham Goss, Robert Haggerty, Christopher Shofe, Isaac Goss, Reed Alexander, H. Green, John Right and J. J. Lingle, of Clearfield county, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Glenn Hope and Independence plank road and turnpike company, with power to construct a plank road and turnpike road, or either, or partly plank and partly turnpike, from Glenn Hope, in Clearfield county, by the way of New Castle to the Tyrone and Clearfield railroad, at or near Independence, at the mouth of Trout run, Rush township, Centre county, by the nearest and best route, as may be agreed upon by the directors of said company, subject to the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of twelve thousand dollars, in shares of twenty dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion they may deem necessary to carry out the true intent and meaning of this act: *Provided*, That said capital stock shall not be increased beyond the sum of twenty-five thousand dollars.

SECTION 3. That whenever five miles of said road is completed the company may put up a gate or gates and collect tolls.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 360.

## AN ACT

To incorporate the Chesnut Hill and Whitemarsh Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Silas Cleaver, Benjamin G. Goduf, William Y. Godrey, Isaac Williams, James M'Crea, Benjamin Jones, William Smith, George Blight, William Yeakle, William Jeans, Amos Carson, Samuel V. Rex, Joseph Hildeburn, Samuel Evans, Robert M'Guire, Joseph Williams, Charles Williams, William Coulston, John Cleaver, Peter Phipps and Amos Phipps, or any five of them, are hereby appointed commissioners and invested with all the powers and privileges granted by the act regulating turnpike and plank road companies, passed and approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same are not inconsistent with this and the subsequent sections of this act.

SECTION 2. That the president and managers of said the Chesnut Hill and Whitemarsh turnpike road company, when organized, are hereby authorized to lay out said turnpike road, commencing at or near the lower toll gate on the Springhouse and Chesnut Hill turnpike, in Philadelphia city, and thence along the bed of the present public road to or near where the same intersects the Plymouth and Upper Dublin turnpike road, in Montgomery county; the aforesaid president and managers to have the power to depart from the present location of the road where it may be necessary to straighten said road or avoid hills, with a grade not exceeding five degrees.

SECTION 3. That the company shall not be liable for fractions of a cent for tolls; and the capital stock of this company shall be twelve thousand five hundred dollars, making two hundred and fifty shares, at fifty dollars for each share.

SECTION 4. That when and so often as the president and managers of this company shall have completed any one mile or more of these said roads, they may proceed to have the same inspected and licensed for taking toll thereon, in the same manner and with the like restrictions and privileges as is contained in the twelfth section, providing for the inspection of five or more miles when finished.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

Commissioners.

Powers.

Style and route.

Capital.

Tolls.

No. 361.

## AN ACT

To incorporate the Barren Hill and Spring Mill Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Daniel O. Hitner, James Cresson, Henry S. Hitner, George W. Hacker, Joseph Freas, Daniel Freas, Peter Staley, Hiram Freas and John Weir, of Montgomery county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Barren Hill and Spring Mill turnpike road company, to locate and construct a road, beginning at a road leading from Spring Mill, at James Cresson's store house, and extending on site of the present road to the line between Nicholas Rapine and Joseph Kerkner, thence across Kerkner's land to his tavern on the ridge turnpike; said road shall be laid out fifty feet in width, forty of which shall be graded, and twenty-two of the middle of said forty shall be stoned or graveled, one foot in depth, and shall not at any point rise or fall more than will form an angle of four degrees from a horizontal line; said company shall be subject to all the provisions and liabilities of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of said company shall consist of three hundred shares, of twenty-five dollars per share.

SECTION 3. That whenever the said company shall have finished said road, notwithstanding its length is less than five miles, the same proceedings may be had to enable the company to erect and fix gates upon and across the same, and collect tolls as is provided in the aforesaid act of assembly in relation to any completed five miles of a turnpike road.

SECTION 4. That the said company may use all or such part or parts of the old township or public road, now leading or extending between the points aforesaid, as may be practicable and for the interests of said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 362.

## A N A C T

To enable the Snow Shoe and Packersville Turnpike Company to rebuild a Bridge over Clearfield creek, in Clearfield county, and collect toll on the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Snow Shoe and Packersville turnpike company to rebuild the bridge over Clearfield creek, in Clearfield county, and collect such tolls upon the same for persons using the same as are now collected by the Susquehanna bridge company, at the town of Clearfield.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 363.

## A N A C T

Relative to the Hockendauqua Bridge Company, in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Hockendauqua bridge company be and the same are hereby authorized to borrow any sum of money, not exceeding three thousand dollars, for the purpose of liquidating the debt of said company.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 364.

## AN ACT

To authorize the Re-construction or Repair of a certain Bridge, by the County Commissioners of Bedford county.

WHEREAS, The bridge over the Raystown Branch of the Juniata river, at the borough of Bedford, on the road of the Holidaysburg and Bedford turnpike road company, has become dilapidated and unsafe, and the said company is unable to re-construct and repair said bridge by reason of indebtedness, and their said road being in the hands of a sequestrator :

*And whereas,* The county commissioners of the county of Bedford are willing to re-construct or repair said bridge for the accommodation of the public: *Provided,* That any security can be given to re-imburse the necessary out-lay; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Bedford county be and they are hereby authorized, by the consent of the sequestrator of said road, so to re-construct or repair said bridge as in their judgment may be most conducive to the public interest, and for such purpose to take and use all the materials now in said bridge, and after such re-construction or repairs shall be completed, to enter up a lien in the county of Bedford, in the nature of a mechanic's lien against said bridge and the appurtenances, for the amount necessarily expended in said re-construction or repairs; and the said lien, if need be, may be proceeded upon in the like manner and with the same force and effect as other cases of mechanics' lien.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 365.

## AN ACT

To incorporate the Paddy's Run Bridge Company.

Commissioners.

Style.

Location.

Capital.

Subject to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry C. Carey, George Helmuth, Abraham Hart, George C. Carson, Charles Newbold, Henry Baird, Henry W. Adams and Thomas K. Thomas, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of the Paddy's Run bridge company, for the purpose of erecting a bridge and railroad across the North Branch of the Susquehanna river, at or near the mouth of Paddy's run, in Luzerne county, so as not to obstruct the navigation of said stream.

SECTION 2. That the capital stock of said company shall be fifty thousand dollars, to be divided into shares of fifty dollars each.

SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 366.

## AN ACT

Relative to Insurance Companies.

Service of process regulated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the remedies now provided by law, it shall be lawful for any person or persons, body politic or corporate, who may have a cause of action against any insurance company in-

corporated by the legislature of this commonwealth, or against any insurance company that may have an agency established in this commonwealth, to bring suit in any county where the property insured may be located, and to direct any process to the sheriff of either of the counties in this commonwealth; and it shall be the duty of said sheriff to execute all process directed to him under the provisions of this act, upon the president or other chief officer of the company against whom the same issued as he shall be directed, or upon the agent of any company not incorporated by the legislature of this commonwealth; and the manner of service and return shall be in the same manner as like process is now by law required to be made, and the same shall be returned to the court issuing the same; and all proceedings upon any suit not under this act, shall be the same as in other cases.

SECTION 2. That the fees allowed for any services performed by any officer under the provisions of this act, shall be the same as are now allowed by law for similar services in other cases: *Provided*, That no sheriff or other officer charged with the service of any process, shall be entitled to charge traveling fees for any greater distance than the actual distance from the office of such sheriff to the office or usual place of business of such insurance company, or to the place of residence of such agent, as the case may be, and back to the office of such sheriff: *And provided further*, That all legal postage, paid on any and all writs transmitted by mail, shall be charged and taxed as part of the costs. Fees.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 367.

## AN ACT

For the Support of Coudersport Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the commissioners of Potter county are hereby authorized and required to pay to the trustees of the Coudersport academy, for the use of said academy, the sum of three hundred dollars annually, for the term of five years, commencing with the first

day of January, Anno Domini one thousand eight hundred and fifty-seven, said payments to be made quarterly: *Provided*, That said payments shall not be made for any quarter of the year, unless the trustees of said academy shall first furnish to said county commissioners a statement, under the oath or affirmation of the principal teacher of said academy, showing that a school has been taught in said academy for the whole of said quarter, usual vacations excepted, and at least twenty pupils have attended said school.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 368.

## AN ACT

To incorporate the St. Mary's and Ridgway Plank Road Company.

Commissioners

Style.

Route.

Subject to.

Provido.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles K. Landis, E. C. Schultz, C. R. Early, George Weis, Joseph Wilhelm, Charles Luhr, John Green, Smith Mead, Edward M'Ewen, Jacob Taylor, Eddy Hyatt, Ignatius Garner, George F. Schaeffer, George Walmsley, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the St. Mary's and Ridgway plank road company, with power to construct a plank road or a part thereof a plank road and a part a turnpike road, by the nearest and best route from, at or near Centreville, Elk county, through the town of St. Mary's, in said county, to the town of Ridgway, in said county, with the privilege of extending the same from the said Centreville to the town of Clearfield, in Clearfield county, and from Ridgway to the forks of Tionesta creek, in Warren county, subject to all the provisions and restrictions, and with all the power and privilege contained and specified in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto, except so far as relates to tolls, which discriminates in favor of wheels of a greater width than four inches: *Provided*, That the said company shall have the right

to use any public road or bridge on the line of the route of this road, whenever found necessary by said company to do so; and it shall be the duty of the court of quarter sessions of the county through which said road passes, to appoint viewers to view and vacate such parts of any public road as shall be used and rendered useless by said company, as is provided by the general road laws of this commonwealth, in cases of roads which have become vacant and useless: *Provided*, That the said company shall not use any bridge over the Clarion river, or Elk creek, or Bennet's branch, or Tionesta creek, without paying damages for the same; the damages to be ascertained and paid, as is provided by the general road laws in the counties through which said road passes, and to be appropriated by the several townships in which said bridges are situated for road purposes.

Viewers.

Proviso.

Damages.

SECTION 2. That the capital stock of said company shall consist of two thousand five hundred shares, at twenty dollars each; and at any meeting of the stockholders called for the purpose, the capital stock may be increased by a majority of those present, to such an amount as may be necessary to complete said road, according to the true intent and meaning of this act; and the president and directors of said company are hereby authorized to borrow any amount of money on such terms and on such security as they may agree upon with the lender or lenders thereof, not exceeding the amount of the capital stock, which may be necessary to construct and complete said road, their doing so being first approved and sanctioned at a meeting of the stockholders called for the purpose, by a majority of those present: *Provided*, That no bond shall be issued for less than fifty dollars.

Capital.

May borrow money.

SECTION 3. That if the said company shall not commence the construction of said road within five years, and complete the same in eight years from the passage of this act, then this act shall be null and void, except so far as may be necessary to wind up and settle the affairs and pay the debts of said company.

Limitation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 369.

## AN ACT

To Confirm certain Proceedings in the Court of Common Pleas for the city and county of Philadelphia, for the Extinguishment of a Ground Rent, et cetera.

WHEREAS, Moses Cox, late of the city of Philadelphia, deceased, was in his lifetime lawfully seized in fee simple of a certain lot or piece of ground, situate on the south side of Spruce street, and on the east side of Fifth street from the river Schuylkill, (now Eighteenth street,) in the said city of Philadelphia, containing in breadth on the said Spruce street one hundred and twenty feet, and in length on the said Fifth street two hundred and twelve feet :

*And whereas,* The said Moses Cox, by indenture dated the twentieth day of March, Anno Domini one thousand eight hundred and five, recorded in deed book J C, number five, page six hundred and forty-one, et cetera, granted and conveyed unto John Stone, in fee simple, the said lot or piece of ground above mentioned, reserving thereout to the said Moses Cox, his heirs and assigns, the yearly ground rent of one hundred and twenty dollars; that in the said recited indenture is a proviso contained, that if the said John Stone, his heirs and assigns, should at any time thereafter pay or cause to be paid to the said Moses Cox, his heirs and assigns, the sum of two thousand dollars, in one entire payment, and the arrearages of the said yearly rent-charge to the time of such payment, that then the said yearly rent-charge should cease and be extinguished; and then he, the said Moses Cox, his heirs and assigns, should and would sign and execute a sufficient release and discharge of the said yearly rent-charge to the said John Stone, his heirs and assigns, forever :

*And whereas,* The said lot of ground afterwards, to wit: on the twenty-fifth day of March, Anno Domini one thousand eight hundred and twenty-five, became duly vested, by sheriff's sale and deed, in Alexander and James L. Dougherty, in fee simple, subject to said rent-charge :

*And whereas,* The said Moses Cox, by his last will and testament, dated March seventh, one thousand eight hundred and five, duly proved and registered at Philadelphia, devised the rents and profits of all his estate whatsoever and wheresoever, to his wife Elizabeth, if she remained his widow, (who so remained to the time of her death,) and at her death the residue and remainder thereof to his six children, namely: Jacob Cox, Ann Council, Margaret Freeman, Elizabeth Pool, Susan Erwin, and to trustees for his daughter Mary Lawrence, and appointed his wife, the said Elizabeth, and his son Jacob, and his sons-in-law Robert Erwin, Joseph Pool and Constant Freeman, executors :

*And whereas,* The said Alexander Dougherty and James L. Dougherty being desirous of paying off the said ground rent,

and procuring an extinguishment thereof, on the twenty-third day of May, Anno Domini one thousand eight hundred and twenty-five, presented a petition to the court of common pleas setting forth the above facts; and the subsequent death of the said Jacob Cox, leaving a widow and three children, one of whom was then in his minority, and the death of the said Mary Lawrence, leaving no lawful issue, and praying the court to order and direct that Elizabeth Cox, the above named executrix, make and execute a sufficient release and discharge of the said rent-charge to the said Alexander Dougherty and James L. Dougherty, on their paying to her the sum of two thousand dollars, and all arrearages thereof:

*And whereas*, The said court, on the thirtieth day of May, Anno Domini one thousand eight hundred and twenty-five, ordered a deed to be executed, and a good and sufficient discharge and release of the said ground rent to be given by the said Elizabeth Cox, executrix, to the said Alexander Dougherty and James L. Dougherty, their heirs and assigns, upon the payment of the said sum of two thousand dollars, and all arrearages thereof:

*And whereas*, On the sixth day of June, Anno Domini one thousand eight hundred and twenty-five, the said Elizabeth Cox, executrix aforesaid, in pursuance of the said order of the said court, and in consideration of the principal sum of the said ground rent, namely: the sum of two thousand dollars, and all arrearages thereof, did, by an indenture duly executed and recorded, remise, release and forever quit claim the said yearly ground rent of one hundred and twenty dollars, and all arrearages thereof, to the said Alexander Dougherty and James L. Dougherty, their heirs and assigns:

*And whereas*, The said lot of ground was afterwards subdivided, and is now owned by sundry persons, deriving title thereto through the said Alexander Dougherty and James L. Dougherty:

*And whereas*, Doubts have been entertained by some counsel learned in the law as to the jurisdiction of the said court over the subject-matter of the said petition, and to the validity of the said deed from the said Elizabeth Cox, executrix aforesaid, and to the sufficiency thereof in extinguishment of the said rent; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all and every the proceedings of the said court of common pleas for the city and county of Philadelphia, ordering the extinguishment of the said ground rent of one hundred and twenty dollars. heretofore issuing out of the lot at the south-east corner of Spruce and Eighteenth (formerly Schuylkill Fifth) streets, in the said city, are hereby confirmed; and the said deed of the sixth of June, Anno Domini one thousand eight hundred and twenty-five, from the said Elizabeth Cox, executrix, et cetera, in pursuance of the said order of the said court, is hereby declared to be valid and effectual for the extinguishment of the said rent, and the said rent is further hereby declared to be fully extinguished: *Pro-*

*vided however, That this bill shall not affect any pending suit touching the premises herein referred to.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 370.

### AN ACT

To extend the charter of the Philadelphia Society for Promoting Agriculture.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Philadelphia society for promoting agriculture be and the same is hereby extended and made perpetual; the legislature reserving the power to alter, revoke or annul the same, whenever in their opinion it may be necessary for the public welfare, in such manner that no injustice be done to the corporators.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 371.

### AN ACT

To incorporate the Quakake Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

William D. Lewis, Joseph Pancoast, Morris L. Hallowell, John B. Myers, Samuel V. Merrick, Charles S. Boker, Albert S. Worrell, John H. Towne, Robert Pearsall, Jesse Godley, Francis R. Wharton, Jacob R. Smith, Thomas Ridgway, Asa Packer, Robert H. Sayre, A. G. Brodhead, junior, Joseph H. Dulles, John Welsh, William Reed and E. A. Packer, or any five of them, be and they are are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Quakake railroad company, with power and authority to construct a railroad, beginning at a point on the Beaver Meadow railroad, and connecting therewith at the junction of the Quakake and Black creeks, in Carbon county; thence in a westwardly direction up the Quakake valley, and thence to and to connect with the Catawissa, Williamsport and Erie railroad, at some point between the two Summit tunnels on the said railroad, in Rush township, Schuylkill county, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered or supplied by this act.

Commissioners.

Style.

Route.

Subject to.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares: *Provided*, That the said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase the capital stock if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act; and for the purpose of completing and equipping the said railroad, the said company shall have the power of issuing from time to time, bonds in the corporate name and under the common seal of said company, payable at any time not later than thirty years after their date, with coupons attached to the same, on such terms and at such rate of interest as they may deem expedient; said bonds shall not exceed in the whole, the sum of five hundred thousand dollars; and it shall be lawful for the said company to secure the payment of said bonds and coupons, to execute a mortgage on all or any part of the real or personal property of said company, and the said mortgage may also include the tolls, rents, issues and profits of said company or any part thereof; and if the mortgage shall so stipulate, the president and directors of said company, and their agents, may continue in the possession and management of the said property so mortgaged, real as well as personal, without prejudice to the security of said mortgage; and the said company may sell and dispose of the bonds by this section authorized to be issued, for the best price or prices which can be obtained for the same, and the purchase of said bonds so to be issued as aforesaid, shall not be deemed usurious or in violation of any law of this commonwealth prohibiting the taking of more than six per centum per annum interest. And the holders of said bonds so to be issued as aforesaid, may, with the consent of the said the Quakake railroad company, convert the said bonds into the capital stock of said company at par: *Provided*, That no bond shall be issued by said company for a less amount than one hundred dollars.

Capital.

May issue bonds and execute a mortgage.

SECTION 3. That if in the location and construction of the said



May buy part of  
C. W. and E. rail-  
road

road, it shall be found convenient to occupy all or any part of the road bed already graded of the Quakake branch of the Catawissa, Williamsport and Erie railroad company now out of use, the same may be done with the consent of that company; and that the said Catawissa, Williamsport and Erie railroad company, be and they are hereby authorized to grant to the said the Quakake railroad company, the right of way on and over all or any part of the said road bed not now in use, by lease, sale or otherwise, as may be mutually agreed upon by the said companies.

Subscriptions.

SECTION 4. That it shall and may be lawful for any railroad company, with whose road the said Quakake railroad may or shall connect, to subscribe to the capital stock of said company.

Officers.

SECTION 5. That the affairs of the said company shall be managed by a president and six directors, of whom any three directors and the president, or any five directors in the absence of the president, shall constitute a quorum.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 372.

## AN ACT

Giving the Consent of this Commonwealth to the United States to Purchase a certain property in the city of Philadelphia, for the purpose of erecting a Court House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the consent of the commonwealth of Pennsylvania be and hereby is granted to the United States of America, to purchase and hold from the American Philosophical society held at Philadelphia for promoting useful knowledge, the lot of ground situate on Fifth street below Chesnut street, known as the Philosophical Society hall, with the buildings thereon erected, in pursuance of the act of Assembly, approved the eleventh day of February, Anno Domini one thousand eight hundred and forty-two, entitled "An Act for the relief of the American Philosophical society held at Philadelphia for promoting useful knowledge;" the said United States of America to hold said property, with the improvements, privileges and appurtenances thereunto be-



longing, for the purposes and business of courts of justice, and the offices and officers connected therewith.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 373.

## A SUPPLEMENT

To an act incorporating the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Easton shall have power to issue the bonds of the said borough, or certificates of loan, to an amount not exceeding twenty thousand dollars, for the use of the West Ward water company, to be secured by bond and mortgage upon the works and franchises of the said West Ward water company; the interest upon which said mortgage to be paid annually upon the first day of July in each and every year; and if at any time the interest aforesaid shall remain due and unpaid for more than ninety days, then, and in such case, the town council of the borough aforesaid, shall have full power and authority to foreclose the said mortgage, and proceed to collect the amount of said mortgage, agreeably to the laws of this commonwealth: *Provided*, That no bond, or certificate of loan, shall be issued for any amount less than one hundred dollars: *Provided further*, That the issuing of bonds, or certificates of loan, by the said borough shall not be deemed valid and binding, until nine hundred shares of the preferred stock of the said West Ward water company shall have been first subscribed, and one-half thereof actually paid in.

May issue bonds  
not exceeding  
twenty thousand  
dollars.

*Provide.*

SECTION 2. That any corporation, or body politic, shall have the right to subscribe to the capital stock of the said West Ward water company.

*Subscriptions.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 374

## A SUPPLEMENT

To an act providing for the Election of District Attorneys.

Rights and powers of district attorneys in Philadelphia.

Two to be elected in 1859

One to be appointed to serve until 1859

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter there shall be two district attorneys of the city and county of Philadelphia, who shall exercise and possess the same rights and powers, perform the same duties, and jointly receive the same compensation as now provided by existing laws.

SECTION 2. That the qualified electors of the city and county of Philadelphia shall, at the next election of district attorneys, to wit: on the second Tuesday of October, Anno Domini one thousand eight hundred and fifty-nine, and triennially thereafter, elect two persons to serve as district attorneys for the said city and county. Each qualified voter shall vote at such elections for one person to serve in said office, and the two persons who shall receive the highest number of votes shall be declared elected.

SECTION 3. That the judges of the court of quarter sessions of said city and county shall, immediately after the passage of this act, appoint a competent person to serve as additional district attorney for the said city and county, until the first Monday of November succeeding the said second Tuesday of October, Anno Domini one thousand eight hundred and fifty-nine, who shall thereupon be duly qualified in open court, according to existing laws.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 375.

## A FURTHER SUPPLEMENT

To the act Consolidating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever a new election division or divisions has been or shall be created in any of the wards of the city of Philadelphia, by the councils of said city, the officers to conduct the election next thereafter occurring shall be chosen as follows: If such division shall be formed entirely out of an old division, the officers elected to conduct the elections in said division shall appoint the officers for the new division, the judge appointing the judge, and each of the inspectors appointing an inspector; and if the division shall be formed from several, all the judges elected in said ward shall together appoint the judge, the inspectors elected in said ward who received the highest number of votes in their respective divisions shall together appoint one of the inspectors, and the inspectors elected in said ward who received the lowest number of votes in their respective divisions shall together appoint the other inspector; and the officers thus chosen shall conduct all elections held in such new election division or divisions until their successors are elected, in accordance with existing laws.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 376.

## A SUPPLEMENT

To an act to erect the town of Green Castle, in the county of Franklin, into a borough, approved March twenty-fifth, one thousand eight hundred and five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Burgess, &c., authorized to supervise water course the burgess and town council of the borough of Green Castle, in the county of Franklin, and their successors in office, be and they are hereby authorized and empowered to take upon themselves the supervision of the water and water course in the borough aforesaid, to see that the proper quantity of water is at all times delivered by the heirs or assignees of William Rankin, deceased, according to the terms of the contract between John Allison and William Rankin, deceased, and to enforce the delivery of the same by such suit or suits, in their corporate name, as may be necessary; and whenever they, or a majority of them, shall deem the same necessary, may by themselves, their agents, engineers, officers and workmen, and with their tools, carts, wagons and horses, enter upon any of the lands, lots, enclosures, streets, lanes, alleys or highways along the original or present course of the said stream, for the purpose of examining the condition thereof, removing obstructions therefrom, repairing the bed or channel of the same, or preventing the wasting of the water therefrom, or its appropriation to uses not designed originally.

Bring suits for water.

Make repairs.

Expense of repairs, how to be paid.

SECTION 2. That the expenses incurred in repairing the said water course, and keeping the same in good order, shall be paid as follows, to wit: those incurred in the streets, lanes and alleys of the said borough, shall be paid out of the borough funds, and those incurred on private property shall be taxed by the said burgess and town council against the property through which the said stream passes, according to the amount expended upon each property, and shall be a lien thereon, and collected as other borough taxes are by law collected.

Fines for injuries, &c.

SECTION 3. That the burgess and town council aforesaid may by ordinance provide what fines and penalties shall be enforced against any person who shall wilfully or maliciously do any injury or damage to the said water course, or who shall obstruct the same, divert or use the water unlawfully, waste it or render it impure or unfit for use.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 377.

## AN ACT

To incorporate the Philadelphia and Crescent Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James C. Hand, John Trucks, A. Heaton, Edward C. Knight, Henry Simons, P. B. Savery, George J. Weaver, Daniel Had-dock, junior, A. J. Buckner, Lewis Chester, George Martin, James S. Watson, Samuel C. Stokes, Charles H. Cummings, and their associates, and all persons who may associate themselves with them, and become now or hereafter may be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Philadelphia and Crescent navigation company, to have perpetual succession, to be capable in law of suing and being sued in all courts whatsoever, to have a common seal, and to purchase, own, employ, charter, contract for building, equip, furnish and fit out all ships and other vessels, with their appurtenances proper for the propulsion and navigation thereof, to be sailed and navigated upon the Atlantic or other oceans, and upon all public navigable tide waters to or from any port in Pennsylvania, or from any port in the United States or elsewhere, to any port in the United States or elsewhere, for the purpose and object of carrying and transporting merchandize, and conveying passengers and mails by means of such ships and other vessels, and to hold and use all necessary rights and powers for loading and unloading, receiving and delivering merchandize transported or to be transported in said ships and other vessels, and the said ships or other vessels, or any of them or their appurtenances, or any part thereof, when in the opinion of the directors of said company it may be proper so to do, to sell or dispose of; and further, to have all such other rights and powers as are or may be properly incident to a corporation having for its object the transportation of goods, wares and merchandize, and the conveyance of passengers and mails, by the means of ships and other vessels.

Corporators.

Privileges and objects.

SECTION 2. That the capital stock of said corporation shall not exceed five hundred thousand dollars, divided into one thousand shares of five hundred dollars each; and that it shall be held as personal property, and as such be transferred under such regulations as the corporation shall judge convenient.

Capital.

SECTION 3. That the office of the company shall be in the city of Philadelphia, in the State of Pennsylvania.

Office.

SECTION 4. That a general meeting of the corporators and stockholders shall be annually held on the first Monday of June for the election of five directors, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but

General meetings and elections.



such meeting or election shall take place as soon thereafter as may be, two weeks' public notice thereof being first given in at least two daily newspapers in the city of Philadelphia for each and every corporate meeting or election.

**Election of directors.**

SECTION 5. That the election of directors shall be by ballot from among the stockholders; and that in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions, the corporators present, either in person or by proxy, shall severally have one vote for each share of stock held by them.

**Votes.**

**President.**

SECTION 6. That the directors shall continue in office until their successors be elected, shall elect a president from among themselves, shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the corporators, and three members shall be a quorum.

**Vacancies.**

**Quorum.**

**First directors and their powers.**

SECTION 7. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be directors of the said corporation, and shall have power and authority as such, and to receive subscriptions to the stock of said company, in such manner as they may direct and provide.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 378.

## AN ACT

Relative to the Boundary Lines of Centre and Clinton counties.

WHEREAS, Joseph F. Quay and Doctor Jonathan Moyer, of Clinton county, and Nathan J. Mitchell, of Centre county, were appointed commissioners by the seventh section of the act to which this is a supplement, to run and mark the boundary line or lines between Centre and Clinton counties:

*And whereas,* The said commissioners did, in pursuance of the said act, proceed to run and mark the said division line or lines, and did report a draft thereof to the commissioners of the said counties, as required by the said act of assembly:

*And whereas,* There is a discrepancy between the draft or report made by said commissioners and the marks made upon the

ground of that portion of the line running from the waters of Beach creek, to the West Branch of the Susquehanna river; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Nathan J. Mitchell, of the county of Centre, and Joseph F. Quay and David Carskaddon, of the county of Clinton, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, correctly to run and mark distinctly, the boundary line between said counties, from the West Branch of the Susquehanna river to the waters of Beach creek, agreeably to the act of assembly creating Clinton county aforesaid; and the commissioners shall make out two drafts, giving the names of warrantees where known, along said division line, one of which shall be filed in the office of the commissioners of each of the said counties; and in case there should be any discrepancy between the drafts made by said commissioners and the marks upon the ground, the former shall govern and be final and conclusive; and the expense necessarily incurred in running and marking the said boundary line shall be paid, one half out of the treasury of each of the aforesaid counties; and the said commissioners are hereby required to perform the duties enjoined by this act on or before the first day of December next: *Provided, That* nothing herein contained shall affect any private right, or affect the title which may have been acquired to unseated lands by commissioners' or treasurer's sale in either county previous to the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 379.

## AN ACT

To authorize the Commissioners of Luzerne county to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the commissioners of Luzerne county be and they are hereby authorized to borrow, on temporary loan, a sum not exceeding

twenty thousand dollars, to be applied to the liquidation of the debts now incurred, and being incurred by said county in the erection of a new court house and public offices, and the certificates which shall be issued by virtue of this act shall be exempt from all taxes except for state purposes.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 380.

## A SUPPLEMENT

To an act, entitled “An Act to provide for the election of an Additional Law Judge of the Court of Common Pleas, in the Sixth Judicial District,” approved the seventeenth day of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court authorized by the aforesaid act, when in session, (the said law judge, and one or both associates being present,) shall have and exercise jurisdiction in all matters pertaining to the orphans’ court, courts of quarter sessions and of oyer and terminer: and all orders made by any of the courts in said district in relation to roads, and proceedings in the orphans’ court, shall be made returnable to the next succeeding term, unless otherwise specially ordered.

Jurisdiction and powers of the court.

Holding of courts for Warren county regulated.

SECTION 2. That instead of the courts now authorized by the said act to be held in Warren county, the said additional judge shall hold two separate terms of one week each in each year, in said county, one commencing the second Monday of February, and the other the third Monday of August; in addition to which it shall be his duty to preside at the regular term of the several courts of said county, commencing on the first Monday of December, of each year: *Provided,* That all writs issued out of said courts, other than original writs, and writs issued by special order of the court on motion, shall be made returnable as heretofore at the regular terms, on the first Mondays of March, June, September and December of each year; and all appeals from the judgment of justices of the peace shall be entered on or before the said return days, and all entries on the dockets shall be

made as of these terms, and numbered accordingly; and so much of any former act as is supplied by this one is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No 381.

## AN ACT

Relative to Road and Bridge Viewers in Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers appointed by the court of quarter sessions of Carbon county shall be three, one of whom shall be a surveyor, if deemed necessary, and every view or review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court.

Number of viewers regulated.

SECTION 2. That the expenses of all views and reviews of public roads, and views to assess damages arising from the opening of public roads in the county of Carbon, shall be paid by the petitioner or petitioners therefor, unless otherwise expressly ordered by the court to be paid by the county.

Expenses, how paid.

SECTION 3. That the viewer or viewers as aforesaid of public roads, or some one of them, before they proceed to make their view or views, shall give public notice by at least three advertisements, put up in the vicinity of the contemplated route of such road, of the time and place where said viewers will meet for the purpose of making such view or review, at least five days before the day of meeting.

Notice to be given by viewers

SECTION 4. That if the viewers shall decide in favor of locating a public road, or making any change in the location of the public road which they were appointed to review, it shall be their duty to endeavor to procure from the person through whose lands such location may be made, releases for all claims of damages that might arise from the opening of the same, and when they fail to procure such release, and it appears to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof, signed by a majority of their number, and return the same, together with all the releases obtained, to the proper court of quarter sessions; and if exceptions

Releases to be procured.

Or damages assessed.

be taken by the occupant or owner of said land, or other party interested, to the report of said viewers assessing damages as aforesaid, the said court shall hear and decide upon the amount of damages to be paid to said occupant or owner, by the county.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 382.

## A N A C T

For the relief of Allabach and Flannagan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay Allabach and Flannagan, of Luzerne county, contractors, the sum of four hundred and forty-four dollars and thirty-four cents, retained per centage on their contract for building a weighlock at Pittston, on the Upper North Branch canal, as per report of the canal commissioners, one thousand eight hundred and fifty-six, on that subject.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 383.

## A FURTHER SUPPLEMENT

To the acts of Assembly incorporating the borough of Allentown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, whenever two-thirds of the persons occupying front rooms of buildings fronting any street in said borough of Allentown, for the length of at least one square, shall desire to have the streets sprinkled with water, and shall present their petition to the chief burgess for that purpose, he shall so order, and it shall be his duty to have the same done for such time as shall be named in the said petition. Sprinkling of streets with water.

SECTION 2. That when the chief burgess shall make such order, it shall be the duty of the borough engineer to lay before the said burgess a complete list of all occupiers as aforesaid, setting forth the number of feet of front which each may occupy; and whenever the cost or expense thereof can be or shall be ascertained, the said burgess, with the assistance of the secretary of council, shall proceed to assess the expense aforesaid upon such occupiers respectively, in the ratio of the respective parts occupied by them; and the burgess shall cause a written notice (stating the amount of his assessment) to be served upon each occupier; and also in said notice naming a day of appeal, to be held not less than five days after the service of the notice; and on the day of appeal so appointed, the burgess shall convene the council at their usual place of meeting, for the purpose of hearing appeals, and correcting such errors as may be made to appear: *Provided however,* That where there are two or more front occupiers in the same building, they, together, shall pay no more than if there had been but one occupier of said building; and in such case their respective assessments shall be made in proportion to the amount of front occupied by them respectively: *And provided further,* That boarders and persons domesticated with families, shall not be deemed occupiers. Expenses, how ascertained and paid.

SECTION 3. That the council having heard and decided all cases before them on appeal, shall proceed to collect said assessments (as well those decided upon appeal, as those not appealed from) from the said several occupiers, in the manner in which borough taxes are now by law collected, and to enable them to do which, a like remedy is hereby provided. Collection of expenses.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

## No. 384.

## AN ACT

Relating to Road Laws in Chester and Lancaster counties.

Number of view-  
ers fixed.

Their pay.

Notice to be  
given.

Releases to be  
procured.

Or damages as-  
sessed.

Duty of the court  
in relation to  
roads.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same;* That the number of road and bridge viewers appointed by the court of quarter sessions of Chester and Lancaster counties, shall be three, all of whom shall view, and a majority decide in all cases of view, review or any subsequent view; they shall receive two dollars each, per day for their services, to be paid by the parties calling them out: *Provided*, That if the jury shall report in favor of a public road, and the said report be confirmed by the court, the expenses of the first view shall be repaid by the county as provided by existing laws.

SECTION 2. That before any view in any of the cases above mentioned shall be had, public notice of the time and place of meeting of the viewers shall be given, by advertisements put up in three or more of the most public places in the vicinity, at least ten days before the meeting of the viewers.

SECTION 3. That if the viewers shall decide in favor of locating a public road, they shall endeavor to procure from the owners of lands over which it shall pass, releases in writing of all claims to damages that may arise from opening the same, and if they fail to procure such releases, they shall assess the damages, if any to be done thereby, and return the same, together with the releases obtained, to the court, to be filed and entered on record.

SECTION 4. That if the court shall be satisfied that the amount of damages assessed in any case, is such that the public interest will be subserved by its payment and the opening of the road, they shall confirm such view, review or subsequent view and assessment, which shall be paid as directed by law; but if the said court shall not be so satisfied, the report shall not be confirmed unless the damages be first paid by the petitioners or others interested.

SECTION 5. That all laws inconsistent herewith are repealed, so far as relates to said counties of Chester and Lancaster.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 385.

## AN ACT

To authorize the State Treasurer to close the Accounts of certain Treasurers and Collectors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized to settle the account of B. Bonsal, former treasurer of Juniata county, by allowing him a credit for the sum of two hundred dollars; of J. C. Sigler, former treasurer of Mifflin county, by allowing him a credit for the sum of one hundred and eighty dollars; of J. G. Lowrie, former treasurer of Centre county, by allowing him a credit for one hundred and ninety-five dollars; of J. W. Wright, late treasurer of Clearfield county, by allowing him a credit for the sum of one hundred and fifty-five dollars; of George T. Hackett, late treasurer of Perry county, by allowing him a credit for the sum of seventy-five dollars; of John Nill, late collector at Harrisburg, by allowing him a credit for twenty dollars; of J. M. Belford, late treasurer of Juniata county, by allowing him a credit for the sum of ten dollars; of W. R. McCay, late collector at Lewistown, by allowing him a credit for the sum of ten dollars; of J. R. Manderfield, former collector at Portsmouth, by allowing him a credit for the sum of five dollars; of A. Hine, former treasurer of Wyoming county, by allowing him a credit for the sum of one hundred and thirty dollars, being money received by them in notes of the banks of Lewistown and Susquehanna County, before the failure of said banks, and since deposited with the state treasurer: Provided, That before the said credits shall be allowed, the state treasurer and auditor general shall be satisfied that the said several sums were received in good faith for taxes or public dues before the failure of the said banks.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 386.

## AN ACT

To authorize the Town Council of the borough of Towanda to levy a special Money Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* for the purpose of enabling them to complete and pay for an engine house, as authorized by the act of April eighteenth, one thousand eight hundred and fifty-six, the town council of the borough of Towanda, in the county of Bradford, are hereby authorized to levy and collect a special money tax in addition to that now authorized by law, not exceeding one-half cent on the dollar on the valuation assessed for county purposes upon all property, offices, professions and persons taxable by the laws of this commonwealth for county rates and levies, within said borough.

Special tax authorized.

Collection of tax.

SECTION 2. The warrant for the collection of said special tax shall be made out, and the tax collected in the manner provided for the collection of borough taxes by the act of April third, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs:" *Provided*, That it shall not be deemed necessary to give any new notice of appeal before issuing said warrant.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 387.

## AN ACT

Relating to the Collection of Taxes in East Earl township, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the provisions of the first section of the act of twelfth April, one thousand eight hundred and fifty-two, entitled "An Act relating to the collection of taxes in certain townships in Lancaster county, and for other purposes," be and the same are hereby extended to East Earl township, in said county.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 388.

## AN ACT

To repeal the second, third and fourth sections of the act approved the eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act to Establish and Regulate the Erie School Districts," et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second, third and fourth sections of the act of assembly approved the eighteenth day of February, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act to establish and regulate the Erie school districts with a high school, and to consolidate the several school districts of the city of Erie," be and the same are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 389.

## AN ACT

To authorize David Engle, Trustee of the Paradise congregation, and Conrad Diffenbach, Trustee of the Strawberry Ridge congregation of the German Reformed Church of Northumberland county, to sell and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That David Engle, trustee of the Paradise congregation, and Conrad Diffenbach, trustee of the Strawberry Ridge congregation of the German Reformed church of Northumberland county, be and they are hereby authorized to grant, bargain and sell, lease, release, convey and confirm to such person or persons and for such price or prices as they may deem proper, all the three following described tracts of land, situate in the county of Northumberland, and bounded and described as follows, to wit: all those two certain contiguous lots of ground situated in Turbett township, Northumberland county, bounded by lands of Henry Derr, John Hoffman, George Koons, Peter Koch and others; one of the said lots containing eighteen acres, and the other four acres, more or less; also, a lot of ground situated in M'Ewensville, county aforesaid, bounded by lots of F. H. Carver, John Boush and William Sample, containing four acres more or less; and that the vendee or vendees of the said property be and they are hereby vested with the fee simple title of, in and to the same to them and their heirs and assigns forever.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 390.

## AN ACT

Relative to the Real Estate of John Irwin, late of Fawn township, York county, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the twenty-second section of the act, entitled "An Act annexing the county of Schuylkill to the Eastern district of the supreme court, and for other purposes," approved the second day of August, one thousand eight hundred and forty-two, be and the same is hereby repealed, and that the orphans' court of York county shall have the power to authorize the sale of the real estate of John Irwin, late of Fawn township, York county, deceased, in the same manner as if said section of said act of assembly had not passed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 391.

## AN ACT

Relating to the Collection of Tolls on the Bridge over Sawmill Run, in Allegheny county, on the Steubenville Turnpike Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Pittsburg and Steubenville turnpike road company are hereby authorized to charge, upon all persons not using so much of said road as to require them to pass through any toll-gate on said road, kept by said company, but crossing upon the bridge recently erected by them over Sawmill run, on the banks of the Ohio river, such rate of toll as shall be established by the court of common pleas of Allegheny county: *Provided,* Said court shall have first decided that

it is just and proper to allow said company to charge any tolls on said bridge, not to exceed one cent for each horse or mule, and five cents per score for all cattle so crossing said bridge; and that so much of any act or acts of assembly heretofore passed, as interferes herewith, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 392.

## AN ACT

To amend an act, entitled “An Act to incorporate the Musical Fund Society of Philadelphia, approved February twenty-second, one thousand eight hundred and twenty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the said the Musical Fund society of Philadelphia shall have authority and power to take, hold and enjoy lands, tenements and hereditaments: *Provided,* That the clear yearly value of the real estate by them held shall not exceed ten thousand dollars.

SECTION 2. The said society shall have the power to confer academic degrees in music; they shall also have the power to establish such schools for the cultivation of skill and of taste in music, both vocal and instrumental, as the managers may deem to be most efficient for these purposes.

SECTION 3. That the members of the said corporation shall be divided into two classes, of which one shall be styled the class of professors, and the other the class of amateurs; that no pecuniary relief shall be granted from the corporate funds, unless the applicant for the same shall have been a member of the class of professors during at least three years immediately preceding his or her application, or unless the applicant shall be the widow or child of a deceased member, to whom at the time of his or her decease relief might have been granted under this section; the said society shall also have the power of electing honorary members, but no person shall be eligible to honorary membership except by a unanimous vote of the board of managers; and the

May hold real estate.

Proviso.

May confer degrees.

Members to be divided into classes.

Honorary members.

entire number of honorary members shall not at any time exceed twenty.

SECTION 4. That hereafter the said corporation shall be governed and administered by a board of twenty-four directors, who shall hold office for three years; the first board shall be chosen at a meeting of the society to be called for the purpose, and held on the first Tuesday in May, one thousand eight hundred and fifty-seven, and the directors then elected shall meet on the second Tuesday in May, and by lot divide themselves into three classes, which shall respectively as such lot may determine, hold office for one, two and three years, and thereafter eight directors shall be elected on the first Tuesday in May, in each year; the said board shall annually elect from their own number a president and vice president, a treasurer and secretary, and such other officers as the said board or the said corporation may determine.

Board of directors and their election.

Directors to be classified.

SECTION 5. That membership in said corporation shall be constituted by an election by the board of managers, or by the corporation, and by the payment of such annual contributions as the corporation, or the board of managers thereof, shall assess and levy upon the members; and if at any time any member shall be in arrear in the payment of said assessment for three years, his membership shall *ipso facto* cease. No member shall be entitled to a vote at any meeting of the corporation, who is more than one year in arrears in the payment of his assessments at the time of such meeting. The said corporation shall have power to discriminate between amateur and professional members in determining the amount of the annual assessment which shall be levied upon the members, and shall also have the power of imposing penalties upon delinquent members: *Provided however*, That no penalty shall exceed the amount of the assessment, and the expulsion of such delinquent.

Membership, how secured and forfeited.

SECTION 6. That the rights, liberties and powers conferred upon said corporation by the act of the general assembly of the commonwealth of Pennsylvania, to which this act is supplementary; shall remain and continue unimpaired, except in so far as the same may be modified or affected by the provisions of this act.

Original charter to remain unimpaired, except as herein modified.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 393.

## AN ACT

To authorize the Lambertville Gas Light Company to supply the inhabitants of the town of New Hope, and its vicinity, in the county of Bucks, with Gas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lambertville gas light company, incorporated by an act of the legislature of the state of New Jersey, approved the twentieth day of March, one thousand eight hundred and fifty-seven, be and they are hereby authorized to supply with gas light, such inhabitant or inhabitants of the town of New Hope, and its vicinity, in the county of Bucks, or such individuals or companies residing or doing business in said town, or its vicinity, as may desire a supply of the same; and to enter into and execute contracts, agreements or covenants in relation to the authority hereby granted; and the said the Lambertville gas light company, in all courts of law in this state, shall be deemed and taken to be an existing corporation in this state for the purposes aforesaid, and for the purpose of enforcing the performance of such contracts, agreements and covenants, as shall be made in pursuance of the provisions of this section, and for no other purpose whatever.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 394.

## AN ACT

To charter the Allegheny Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners.

Robert Chatham, Hugh Devling, Jefferson Chatham, George



Stockham and David Wiley, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Allegheny turnpike company, with power to construct a turnpike road from at or near the mouth of Paddy's run, in Clinton county, on the north side of the West Branch of the Susquehanna river, about three miles above Youngwomanstown, to the first fork of Paddy's run, and from thence by the nearest and best route to the head of said run, as may be agreed upon and adopted by the stockholders, or a majority of them, at a meeting to be called for that purpose, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine: *Provided*, That when the company hereby incorporated shall have finished one mile or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of the said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of five hundred shares, at twenty dollars per share: *Provided*, That the said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of their road within two years after the passage of this act, and complete the same within seven years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of said company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 395.

## AN ACT

Relative to the Willowstreet and Pequa Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

it shall be lawful for the commissioners named of the Willow-street and Pequa Valley turnpike road company, to commence their road any time within three years after the sixteenth day of March, one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 396.

#### A SUPPLEMENT

To an act to re-charter certain Banks, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and twenty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Farmers' and Mechanics' Bank of Philadelphia shall be empowered to purchase and extinguish the building lease under which the buildings recently erected on its banking house lot were built, and possess and hold the same in its corporate name.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 397.

## A SUPPLEMENT

To the act incorporating the Hempfield Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Hempfield railroad company be and they are hereby authorized to issue preferred stock, not exceeding eight hundred thousand dollars in amount, which stock shall be entitled to a dividend not exceeding eight per centum, as the directors of said company may determine, out of the earnings of said road before any dividend is paid on the other stock issued by said company: *Provided,* That this act shall not go into effect unless first approved of by a majority in number and value of the stockholders of said company, at a meeting called for that purpose, by public advertisement for at least two weeks, in one or more newspapers in the city of Philadelphia, and the counties of Washington and Westmoreland.

May issue a preferred stock.

Provide

SECTION 2. That any railroad company incorporated by any law of this commonwealth, is hereby authorized to subscribe for the whole or any part of the stock hereby authorized to be issued: *Provided,* That said subscription shall be first authorized by a majority of the stockholders at a meeting called for that purpose.

Who may subscribe.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 398.

## A FURTHER SUPPLEMENT

To the act incorporating the Allentown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Allentown railroad company be and they are

hereby authorized to borrow such sums of money, not exceeding fifteen hundred thousand dollars, at any rate of interest not exceeding twelve per centum per annum, and to make the principal of the said loan convertible into the stock of the company, if they deem it expedient, on such terms as may be agreed upon, and to make the principal and interest of the said loans payable at such time or times as may be deemed advisable; and for the security thereof, to execute bonds and other evidences of indebtedness of the company, which may be disposed of in such manner, and on such terms, as may be deemed most expedient; and to further secure the payment of the said loans and bonds, they are authorized to execute a mortgage or deed of trust, of the railroad, locomotives, cars, and all other property of the company, and of its corporate rights, privileges and franchises; and the said railroad property and franchises, in the event of a sale under the said mortgage or deed of trust, shall pass to the purchaser or purchasers free from any incumbrance, lien or liability, subsequent to the said mortgage or deed of trust, and be vested in him or them; and the said bonds and other evidences of indebtedness may be sold for less than their par value; and such sale shall not be usurious or contrary to any law prohibiting the taking of interest at the rate of more than six per centum per annum: *Provided*, That all debts against the said company for ties, wood or materials furnished, or damages ascertained, or labor performed along the line of the said road, or any liabilities heretofore incurred by the said company in the purchase of locomotives, shall be paid in full, or satisfactorily secured to the creditor up to the creation of the first mortgage under this act, otherwise the said mortgage shall have no validity as against such debt or claim: *And provided further*, That this supplement shall not go into effect, unless approved by a majority of the stockholders of said company, at a meeting called for that purpose, by at least thirty days' notice in one or more of the newspapers in the counties where said road may be located: *Provided*, That the president, and a majority of the directors, shall be citizens of this commonwealth after the next annual election: *And provided further*, That for the protection of her own works, the state reserves the right to tax, by act of assembly, any through business going over said railroad from or to the Pennsylvania railroad; such tax to be only on the same items of business, and at the same rate, which may then be imposed upon said Pennsylvania railroad company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 399.

## AN ACT

To authorize the Tyrone and Clearfield Railroad Company to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Tyrone and Clearfield railroad company be and the same is hereby authorized to borrow any sum or sums of money for the purpose of constructing and stocking their road, not exceeding two hundred thousand dollars, and to issue their bonds therefor in such sums and for such rates of interest, not exceeding ten per cent., and payable at such times as the president and directors of said road may think expedient; and to secure the payment of said loan or bonds, the said company is authorized to mortgage any or all of its property, either real or personal: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 400.

## AN ACT

Relative to the Allentown Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allentown water company be and they are hereby authorized, on the credit of the said company, to borrow any further sum or sums of money not exceeding twenty thousand dollars, at a rate of interest not exceeding six per centum per annum, to be applied towards the further improvement of the works and property of the said company; and that the act, entitled "An Act to authorize the Allentown water company to borrow money," ap-



proved April first, one thousand eight hundred and fifty-seven, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 401.

## A SUPPLEMENT

To an act to incorporate the Warehousing Company of Philadelphia, approved April twenty-second, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall have power and authority to make advances upon all goods in the warehouses of said company, at any rate of interest not exceeding six per centum per annum, and at any rate of commission not exceeding two and one half per centum for four months, which may be agreed upon between the parties respectively, and shall have power and authority to effect insurances on all goods in the warehouses of said company, and to take charge of, and perform the duty of paying duties on bonding, receiving, landing, hauling and delivering all property deposited or intended to be deposited with the said company, and shall have all powers and privileges necessary and convenient to carry the same into effect: *Provided*, That this act shall only apply to goods, wares and merchandize consigned from points beyond the county of Philadelphia: *Provided further*, That all advances made under this act shall be paid in actual money, and not in the notes or acceptances of said company.

May make advances on goods.

Proviso.

Shall have a lien for advances, &c.

SECTION 2. That the said company shall have a lien upon all the goods entrusted to them for storage thereof, and all advances, insurances and other charges thereon, and that the goods of any one owner shall be and remain liable for the whole amount of the storage, advances, insurances and other charges due by him, and so that the delivery of a part shall not in anywise affect or impair the lien upon the residue for the whole amount so due.

May issue certificates.

SECTION 3. That the said company shall have authority to issue certificates to the owner or depositor of any goods stored with them, specifying the character of the goods so received and

and the time and place of their deposit: *Provided however, That* Proviso.  
 nothing herein contained shall be so construed as to confer  
 banking powers or privileges on said company.

SECTION 4. That the act to which this is a supplement be and Former act amended.  
 it is hereby amended, by striking from the third section thereof  
 the words, "until the first Monday in June, occurring after the  
 expiration of that period," and inserting in lieu thereof, the  
 words, "as the by-laws may direct."

SECTION 5. That the act to which this is a supplement shall Limitation.  
 be continued and held to continue in force for the period of  
 twenty years, from the twenty-second day of April, Anno Dom-  
 ini one thousand eight hundred and fifty-six.

SECTION 6. That the stockholders of the said company shall Liability of stockholders.  
 be jointly and severally liable in their individual capacities, for  
 all debts and contracts made by said company, to the amount  
 remaining unpaid on each share of stock held by them respec-  
 tively, and also for all debts due mechanics, workmen and la-  
 borers employed by, and for materials furnished to said com-  
 pany, to be sued for and collected as provided by the twelfth,  
 thirteenth and fourteenth sections of an act incorporateing th  
 Lackawanna iron and coal company, approved April fifth, on  
 thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one  
 thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 402.

## A SUPPLEMENT

To an act for the better Preservation of the Records contained in the Public  
 Offices of the several counties of this Commonwealth, approved the twenty-  
 ninth day of March, Anno Domini one thousand eight hundred and twenty-  
 seven.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
 tatives of the Commonwealth of Pennsylvania in General Assembly  
 met, and it is hereby enacted by the authority of the same, That  
 the provisions of the act for the better preservation of the records  
 contained in the public offices of the several counties of this  
 commonwealth, approved the twenty-ninth day of March, Anna  
 Domini one thousand eight hundred and twenty-seven, be and*

the same is hereby extended to the supreme court of Pennsylvania, and the court of nisi prius, at Philadelphia.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 403.

AN ACT

To incorporate the Waynesboro', Quincy, Funkstown and Fayetteville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Alexander Hamilton, E. S. Traxel, Holker Hughes, Jacob Sechrist, D. W. Rayer, George Besere, James M'Kinley, John Mann, junior, James Brown, John Price, Thomas Walker, Henry Besere, Henry Good, Abraham Barr, John Funk, (of H.,) Charles Hoke, William Hummel, David Wertz, David A. Wertz, Henry George, George Ross, George M'Farran, Thaddeus Boggs, William Mentzer and Daniel Miller, of Franklin county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Waynesboro', Quincy, Funkstown and Fayetteville turnpike road company, with power to locate and construct a turnpike road on the site of the present road, or otherwise, as the said company shall direct, leading from Waynesboro', in Franklin county, via Quincy and Funkstown, to Fayetteville, in said county, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of four hundred shares of twenty dollars each: *Provided*, That the said company may, from time to time, by a vote of its stockholders at a meeting called for that purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true intent and meaning of this act.

SECTION 3. That the said company may commence the construction of their road at any intermediate point: *Provided*, That such commencement shall be made within five years after the

Commissioners.

Style.

Route.

Subject to.

Capital.

Limitation.

passage of this act; and should the said company fail to complete their road within ten years from and after the same shall have been commenced, then this act shall be null and void, except so far as the same may be necessary for the purpose of settling the affairs and paying the debts of the company: *And provided*, That the said road at its northern termination shall intersect the Chambersburg and Gettysburg turnpike road, at or near the brick kiln on the lands of William Mentzer, on said turnpike road. Proviso.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 404.

## A SUPPLEMENT

To an act to incorporate the High Mountain Coal and Iron Company, approved April seventeenth, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the High Mountain coal and iron company, incorporated April seventeenth, one thousand eight hundred and fifty-six, are hereby authorized to take and hold land and real estate in fee simple in the county of Huntingdon, as fully and effectually and under the same rights, privileges and restrictions as they are now authorized to hold the same in the county of Bedford: *Provided*, That the aggregate quantity of land held shall not exceed two thousand acres.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 405.

## AN ACT

To authorize the examination of the claim of Henry Westbrook.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and are hereby authorized and directed to examine the claim of Henry Westbrook, of Standingstone, Bradford county, Pennsylvania, for damages done to his property, by the building of the North Branch canal, and report the amount of damages said Westbrook has sustained in consequence of the building of said canal, to the legislature.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 406.

## AN ACT

To authorize the Commissioners of Bedford county to Repair and Transfer the Bridge at Hopewell, in said county, to the Hopewell and Bloody Run Plank and Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That as soon as the bridge across the Raystown Branch of the Juniata, at Hopewell, in Bedford county, shall have been put in good order and repair, it shall be lawful for the commissioners of the said county to transfer the title or interest of the said county of Bedford in said bridge, to the Hopewell and Bloody Run plank and turnpike road company; and for the purpose of enabling the commissioners of Bedford county to have said bridge repaired with as little delay as possible, they are hereby authorized and empowered to borrow the sum of one thousand dollars, at an interest of not more than six per centum per annum; which amount is to be expended by and under the direction of the presi-*



dent and managers of the Hopewell and Bloody Run plank and turnpike road company, who shall thereupon keep said bridge in repair, free and clear of any costs to the county of Bedford.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 407.

## AN ACT

Repealing part of an act declaring Big Sandy Creek a public highway, passed twenty-sixth March, one thousand eight hundred and thirteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act, entitled "An Act declaring Big Sandy creek a public highway," passed the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and thirteen, as declares the said Big Sandy creek a public highway for the passage of boats and rafts and other vessels, from where the state road from the town of Mercer to Meadville crosses the same, to a point on said stream one mile below where the out-let of Sandy lake empties into it, be and the same is hereby repealed.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 408.

## A N A C T

Authorizing the citizens of the Twenty-first ward of Philadelphia, to elect a member of the Board of Guardians of the Poor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the qualified voters of the first, second, third and fourth election division of the Twenty-first ward of the city of Philadelphia, shall at the first municipal election in said city, after the passage of this act, and annually thereafter, elect one citizen to serve as a member of the board of guardians of the poor of said city.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 409.

## A N A C T

Relating to the School Taxes of Walnut Grove School District, in Cumberland county.

WHEREAS, The legislature, by the eleventh section of the act of twenty-first of March, one thousand eight hundred and fifty-two, provided for the establishment of a new school district out of a part of East Pennsborough township, Cumberland county, to be called Walnut Grove school district, in pursuance of which the same was organized, and taxes assessed, collected and appropriated to school purposes, and afterwards by a decision of the supreme court of Pennsylvania, the said act of assembly was declared null and void, whereby the inhabitants of the said new school district have been made liable to pay their school taxes over again to the old school district of East Pennsborough township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in every instance where the tax of any inhabitant or tax-payer of the new school district shall have been once paid to the school directors, that it shall be unlawful to collect more than the one-half of the same again, and in all cases where the said taxes have been thus paid twice by any tax-payer, that it shall be the duty of the school directors of the township of East Pennsborough to refund the one-half of one tax to him, her or them, and upon their refusal, upon demand made so to do, the same may be recovered by action at law.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 410.

## A FURTHER SUPPLEMENT

To the act incorporating the Thomas Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Thomas iron company be and they are hereby authorized to connect their ore beds in Upper Saucon township, Lehigh county, by the nearest and most practicable route, by a railroad not exceeding two miles in length, with the North Pennsylvania railroad. May make a railroad.

SECTION 2. That the said company are also authorized to connect their iron works, situated in South Whitehall township, Lehigh county, by a railroad not exceeding two miles in length, and by the best and most practicable route, with the Catasauqua and Foglesville railroad. Railroad.

SECTION 3. That in building said roads the said company shall be subject to all the limitations and restrictions, and enjoy all the privileges and immunities of the act regulating railroad companies, approved February nineteenth, one thousand eight hun-

dred and forty-nine, and the several supplements thereto, so far as they are applicable thereto.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 411.

# AN ACT

To supply the borough of Catasauqua with Water.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Lehigh Crane iron company be and the same are hereby authorized and empowered, if they shall so elect, to supply the citizens of the borough of Catasauqua with water from their works, now constructed by said company, to be subject to all the restrictions and entitled to all the privileges contained in the act regulating gas and water companies, approved the eleventh day of March, one thousand eight hundred and fifty-seven, so far as the same are applicable thereto.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 412.

## A N A C T

For the relief of John A. Bueghly and Gabriel G. Bueghly, of Somerset county.

WHEREAS, A warrant was issued to John A. Bueghly and Gabriel G. Bueghly, of Somerset county, on the third day of November, one thousand eight hundred and fifty-six, for three hundred and eighty acres of land, for which they paid into the state treasury, one hundred and eleven dollars and ninety-seven cents :

*And whereas,* The parties were misled by information from the land office, and find that the land described in said warrant of survey was previously appropriated and consequently not open to entry ; therefore to remedy the error,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to reimburse or pay to John A. Bueghly and Gabriel G. Bueghly, the sum of one hundred and eleven dollars and ninety-seven cents, being the amount paid into the treasury by them, for which no consideration has been received.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 413.

## A N A C T

Authorizing the sale of the Real Estate of Thomas H. R. Tracy, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Anna A. Tracy, administratrix of Thomas H. R. Tracy, late of the borough of Honesdale, in the county of Wayne, deceased,



Sale authorized. be and is hereby authorized and empowered to sell at public or private sale for cash or on credit, as she may think best, all or any part or parts of the real estate in this commonwealth, of which the said Thomas H. R. Tracy had in any such estate at the time of his death, and to convey the same whether sold together or in part, by good and sufficient instruments in writing, to the purchaser or purchasers thereof in fee simple, as fully and effectually as the said Thomas H. R. Tracy could do were he living: *Provided*, That before any such sale shall be made as aforesaid, the said Anna A. Tracy shall give security to be approved by the orphans' court of the county where the land sold may be located, conditioned for the proper application of the moneys arising from any such sale or sales made in pursuance of the authority herein given.

Deeds to be made SECTION 2. That the said Anna A. Tracy be and is hereby authorized and empowered to execute a deed or deeds, good and sufficient in law, for conveying the legal title which was in the said Thomas H. R. Tracy at the time of his decease, to any real estate in the said commonwealth, or to any shares or portions of such real estate which had been sold by the said Thomas H. R. Tracy, and for which he had received the purchase money in whole or in part before his decease, as fully and effectually as the said Thomas H. R. Tracy could were he still living.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 414.

## AN ACT

Relative to the Publication and Distribution of the Final Report of the Geological Survey of the State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the secretary of the commonwealth be and he is hereby authorized and directed to furnish to the governor, secretary and deputy secretary of the commonwealth, the members and clerks of the Senate and House of Representatives of eighteen hundred and

fifty-four and eighteen hundred and fifty-six, and the present session, full and complete copies, as the same may be issued, of the publications of the geological report, and the map accompanying the same, as authorized by the act of one thousand eight hundred and fifty-one, and subsequent acts: *Provided*, That no member or clerk shall receive more than one copy thereof.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 415.

## A N A C T

To incorporate the Bank of Chester Valley, to be located at Coatesville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Doctor Jesse Coates, Nathan Baker, S. B. Worth, Enoch Harlan, William Baker, James K. Grier, Hugh E. Steele, Benjamin W. Jones, Lewis Maxton, John Bowman, James Newlin, Robert Parke, William Haslam, Doctor Charles Huston, William Dripps, Thomas W. Shields, Benjamin Hatfield, B. J. V. Miller, Charles Brooke, Richard Pim, W. B. Mendenhall, John White, V. D. Bernard, William Mode, Joseph P. Baker, Patrick Little, David J. Bent, Robert Fnthey, Maris Hurford, Charles E. Pennock, William W. Eachus, William H. Baker and George W. P. Coates be and are hereby appointed, and they or any thirteen of them are hereby authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be located at Coatesville, in the county of Chester, to be called the Bank of Chester Valley, with a capital of one hundred and fifty thousand dollars, to be divided into shares of fifty dollars each; the said bank to be organized, managed and governed as is provided by the act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, and be subject to all the provisions and restrictions, and to enjoy all the privileges and immunities contained in the same: *Provided*, That said bank shall pay

into the treasury of the commonwealth one per centum on the amount of its capital within one year after its organization.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 416.

A N A C T

To incorporate the Delaware River Steamboat Company.

Corporators.

Style.

Privileges.

Directors and  
their election.

Vacancies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Anthony Burton, John Price Wetherill, Willet Paxson, John A. Warner, Charles Moon and Andrew Manderson, and such other persons as may associate with them, their successors and assigns, are hereby created and made a corporation or body politic in deed and in law, by the name, style and title of the Delaware River steamboat company, and by that name shall have perpetual succession, and be capable in law to sue and be sued in any court of law or equity, to have and use a common seal, and generally to do all such acts as shall be necessary and proper for establishing and maintaining a steamboat line for the conveyance of passengers, goods and merchandize, on the river Delaware, or its tributary streams between Philadelphia and Bristol, or such other places as the company may desire. The capital stock of said company shall be one hundred and twenty thousand dollars, divided into two hundred and forty shares, at a par value of five hundred dollars each.

SECTION 2. That the affairs of the company shall be managed by a board of six directors, to be chosen from amongst the stockholders of said company, who shall be elected at a general meeting of the stockholders, to be held immediately after the passage of this act, and on the second Monday of April, in each and every year, at such hour and place as shall be designated by the by-laws, and shall continue in office until their successors are duly elected. The board of directors, at their first meeting in each year, shall choose a president, and such other officers as the board may deem requisite for the proper management of the business of the company, the president to be of their own number, and may fill any vacancy which shall occur in their body by death,

resignation or otherwise. In electing directors, each stockholder holding one, two or three shares, shall be entitled to one vote for each share, but if owning five shares, three votes, and for every additional five shares, three votes. All elections for officers shall be by ballot, and a majority of all the votes cast being given for any candidate, shall be sufficient to elect him. Votes.

SECTION 3. That a majority of the directors shall constitute a quorum; they shall hold meetings from time to time at such time and place as shall be designated by the by-laws; the board of directors shall have power and authority to appoint and employ and fix the compensation of all such officers, engineers and agents, as may be necessary to transact the business of the company, to purchase, hold or rent lands necessary for the use of the company, to purchase, hire or build boats, carriages and vehicles, to be used by them, to rent or build such wharves and houses as may be required for their business, and to enact all by-laws necessary and proper for the welfare of the company: *Provided*, That the same do not conflict with the constitution and laws of the United States or of this state. They shall establish the rates of fare for passengers and of transportation of freights, and the same alter or change when they shall deem expedient. It shall be their duty to keep a record of their proceedings, which shall at any time be subject to the inspection of a majority of the stockholders. Meetings of directors and their powers.

SECTION 4. That the board of directors shall from time to time declare dividends of the profits realized, if any, by the said company, or so much thereof as the majority of the directors shall deem expedient: *Provided*, That no part of the capital stock shall be withdrawn or refunded to the stockholders, nor shall dividends be declared until all debts or liabilities of the company shall have been paid. Dividends.

SECTION 5. That the shares of stock aforesaid may be transferred by the owner or owners thereof, their executors or administrators, or attorney duly authorized, in a book to be kept for that purpose, in such manner as the by-laws shall direct. Transfers.

SECTION 6. That the board of directors, or the majority of the stockholders, shall have the power at any time of calling special meetings of the stockholders, and at all such meetings, as well as at the annual meetings of the stockholders, the votes shall be given in proportion to the amount of stock held by the voter, as in electing directors, and the stockholders present at such meetings shall have power to direct the winding up and closing the concerns of said company: *Provided*, That stockholders representing a majority of the stock, as provided in section second, shall vote for so doing. Special meetings of stockholders.

SECTION 7. That at least one week's previous notice of the time and place of holding every election for officers, and annual and special meetings of stockholders, shall be given to each stockholder personally: *Provided*, That if a stockholder be difficult of access, a notice addressed to him shall be deposited in the post office at least ten days previously. Notice of elections and annual meetings.

SECTION 8. That if from any cause the election for officers be not held at the time and place appointed as aforesaid, an election shall be held at any time within sixty days afterwards, of which due notice shall be given as aforesaid. Elections.

Prohibitions.

SECTION 9. That the said company is hereby prohibited from exercising banking privileges, and the right is hereby reserved to the legislature to alter, revoke or amend this act, whenever in their opinion it shall be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators: *Provided*, That the stockholders of said company shall be individually liable for all debts contracted on account of said company, for work and labor and materials furnished for the same, to be sued for and collected according to the provisions of the twelfth, thirteenth and fourteenth sections of the act to incorporate the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three, providing that the said company do not boat on the Schuylkill Navigation canal.

Liability.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 417.

## A SUPPLEMENT

To an act to amend the Road Laws of Bucks county, approved the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act, entitled “An Act to amend the road laws of Bucks county,” approved the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-seven,” shall be so construed as not to apply to proceedings for roads commenced before the passage of the said act, and then pending, or to applications for damages sustained by reason of any road laid out previously thereto, or to be laid out hereafter, in pursuance of any proceedings then pending.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 418.

## AN ACT

To change the Name and Increase the Privileges of the Lewisburg Savings Institution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lewisburg savings institution, located at Lewisburg, in the county of Union, shall from and after the first day of July next, be known and designated by the name, style and title of "The Lewisburg Bank," and the stockholders or a majority in interest of them, at any time thereafter, shall and may be authorized to increase their capital stock one hundred thousand dollars in addition to the amount already authorized by their charter.

Name changed.

Capital increased.

SECTION 2. That the said corporation shall, from and after the first day of July next, be invested with full banking and discounting privileges, with the right to issue notes for circulation, and shall possess and enjoy all the rights, franchises, powers and privileges conferred upon banking institutions, by the provisions of the act of the general assembly of this commonwealth, entitled "An Act to regulate banks," passed the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and its several supplements, and shall be subject to all the liabilities and restrictions contained therein.

Banking privileges conferred.

SECTION 3. That said corporation shall, within one year from and after the passage of this act, pay into the treasury of the commonwealth, one per cent. on the amount of increase of its capital stock hereby authorized; and the additional capital stock hereby authorized, shall be divided among such of the stockholders as may elect to take the same, upon sixty days' notice in at least two weekly newspapers published in said county, in proportion to their respective shares; and if any of said increase stock shall not be taken by the said stockholders, the same shall be sold at auction to the highest bidder, in quantities not exceeding one thousand dollars.

Bonus.

How stock to be disposed of.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 419.

## A FURTHER SUPPLEMENT

To the act to incorporate the Reading and Lehigh Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the name, style and title of the Reading and Lehigh railroad company shall be East Pennsylvania railroad company, with all the powers, privileges and authorities they had under the former name, and be subject to all the restrictions and liabilities to which they were subject under the same.

Name changed.

May borrow money.

And mortgage road, &c.

Effect of a sale under said mortgage.

Bonds may be sold for less than par value.

Provide.

SECTION 2. That the directors of said company may borrow money to an amount not exceeding fifteen hundred thousand dollars, in addition to the amount heretofore authorized, and issue their bonds therefor in sums of not less than one hundred dollars each, bearing any rate of interest not exceeding seven per centum per annum, and secure the payment of the principal and interest of the bonds issued for the money heretofore as well as hereby authorized to be borrowed, by a mortgage or mortgages upon the railroad, locomotives, cars and all other real or personal property of the company, or any part thereof, and of its corporate rights, privileges and franchises; and the said directors may make the said bonds convertible into stock, at par, if such course be deemed advantageous to said company; and every such mortgage, duly acknowledged and recorded in the proper office of the county or counties in which the railroad of the said company may be located, shall be good and valid and effectual in law against said company, and against all judgments and executions subsequent in date to the recording of such mortgage or mortgages, although said company continue to use and be in possession of said property so mortgaged; and the said railroad, locomotives, cars and real and personal property, corporate rights, privileges and franchises, in the event of a sale under the said mortgage or mortgages, shall pass to the purchaser or purchasers, free from any incumbrance, lien or liability, subsequent to the recording of the said mortgage or mortgages as aforesaid, and be vested in him or them; and the said bonds may be sold for less than their par value, and such sale shall not be usurious or contrary to any law prohibiting the taking of interest at the rate of more than six per centum per annum: *Provided,* That all debts and claims against the said company for ties, wood or materials furnished, or damages ascertained, or labor performed along the line of the said road of the said company, prior to the recording of the said mortgage or mortgages as aforesaid, shall be satisfactorily secured to the creditor or creditors, otherwise

the said mortgage or mortgages shall have no validity against said debts or claims.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 420.

## SUPPLEMENT

To an act passed April twelfth, one thousand eight hundred and fifty-one, relative to the Election of Supervisors in Mount Pleasant and Clinton townships, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the qualified electors of the townships of Mount Pleasant and Clinton, in the county of Wayne, shall, after the passage of this act, elect annually, on the third Friday in February, two supervisors in each township, to serve for one year. Election of supervisors.

SECTION 2. That the acts and the election of the supervisors in said townships, heretofore under the act to which this is a supplement, be confirmed and legalized. Election validated.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 421.

## AN ACT

To authorize the School Directors of the borough of Gettysburg to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of school directors of the borough of Gettysburg, in the county of Adams, be and they are hereby authorized to borrow an amount of money not exceeding the sum of five thousand dollars, for a term of years not exceeding seven, and issue bonds or certificates of indebtedness for the same, in sums of not less than one hundred dollars each, bearing interest at a rate not exceeding six per centum per annum: Provided, That any moneys so borrowed shall be applied exclusively to the erection of a suitable building or buildings for the use of the common schools of the said district: And provided, That any moneys so borrowed shall not be taxable except for state and county purposes.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 422.

## A FURTHER SUPPLEMENT

To an act supplementary to an act authorizing the laying out of a State Road, leading from Rimersburg, Clarion county, to the mouth of Mahoning creek, in Armstrong county, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the return of the survey of the road named in the above supplement, be and the same is hereby declared good and valid as if*

the same had been made within the time prescribed by the aforesaid act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 423.

## AN ACT

To incorporate the Lancaster Mercantile College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and hereby is erected and established in the county of Lancaster, in this commonwealth, a college for the instruction of merchants and others, in the various branches of literature and sciences immediately connected with a thorough mercantile education, by the name, style and title of Lancaster mercantile college, to be permanently located in the city of Lancaster, in said county of Lancaster. College established.

SECTION 2. That said college shall be under the direction, management and government of nine trustees, of whom the president of the college for the time being shall be one; and said trustees shall have power to delegate to the said president, all powers which may be entrusted to them under this charter and the authority of the same, as far as it relates to the financial operations of said college, without liability on the part of said trustees therefor, and all such powers as relate to the government of said college and said powers, shall thenceforth become permanently vested in said president for the time being; and said trustees shall also have power to appoint one of their number to preside at the board meetings, and a majority present shall be a quorum and competent to transact business and to fill vacancies in their own body. Trustees.

SECTION 3. That the first trustees of said college shall consist of the following persons: Thomas H. Pollock, president of the college, Christopher Hager, John Baer, George M. Steinman, Peter M'Conomy, John W. Jackson, G. Taylor Lane, Frederick J. Kramph, of the city of Lancaster, and George Taylor of Huntingdon, which said trustees and their successors to be appointed as often as occasion may require, by the votes of First trustees.



not less than five trustees, shall be forever hereafter and they are hereby erected into and declared to be a body politic and corporate, with perpetual succession and with all the incidents to a corporation in deed and in law, to all intents and purposes whatsoever, under the name, style and title of Lancaster mercantile college, by which name and title the said trustees above named and their successors, shall be able and capable at law and in equity, to take to themselves and their successors for the use of said college as aforesaid, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons or corporation whatsoever: *Provided*, That the annual income of the same, exclusive of the income from students, shall not exceed the yearly value of six thousand dollars; and the same messuages, lands, tenements, hereditaments and estate real and personal, to grant, bargain, sell, convey, assign, devise and to farm, let and place out on interest or otherwise dispose of, encumber or invest for the use of said college, in such a manner as to them shall seem most beneficial for said college, and to receive the rents, issues, profits and income of the same, and to apply the same to the proper use of said college, and by the same name to sue, commence actions, prosecute and defend, implead and be impleaded in any courts of law or equity, and in all manner of suits whatsoever, and generally by and in the corporate name, style and title aforesaid, to do and transact all and every business touching and concerning the premises or which shall be in any manner incident thereto, as fully and effectually as any person or body corporate have power to manage their own concerns, and to hold, enjoy and exercise all such powers, authorities and jurisdictions as are held, enjoyed and exercised by any other college within this commonwealth.

SECTION 4. That the corporators may cause to be made for their use a common and corporate seal, with such devices and inscriptions thereon as they may deem proper, and by and with which all deeds, diplomas, certificates, appointments and acts of said corporation shall pass and be authenticated, and the said seal at their pleasure to break, alter and renew.

SECTION 5. That the corporators mentioned in this act and their successors, shall have the power and authority of exercising all the privileges and rights conferred by this act on the corporation, of electing and removing officers, professors, teachers and instructors, of appointing and authorizing a person or persons to carry into execution, any resolution or business of the board, and shall have power, by a majority of votes, to make rules, laws and ordinances, and the same to alter and repeal, and to do everything needful for the support and government of the college and the management of its property and estates: *Provided*, That the said rules, laws and ordinances or any of them, be not in violation of the laws and constitution of the United States, of the state of Pennsylvania, or of the provisions of this act of incorporation: *And provided also*, That said corporators may delegate to the president of the college the above powers and authority, as far as relates to the electing and removing of professors, teachers and instructors, and generally such

Style

Annual income.

Powers.

Seal.

Powers of trustees.

other powers as they may deem proper and for the good of said college.

SECTION 6. That the president and professors for the time Faculty. being of said college, with such other professors and tutors as may be necessary to elect, shall constitute the faculty of the college, and shall have power to grant and confirm such degrees in the sciences taught in the college, to such students and graduates of the college and others, when by their proficiency in learning, professional eminence, or other meritorious distinction, they shall become entitled thereto, as they may see fit, or as are granted in other colleges of like character in the United States, and to grant to graduates, or persons on whom such degrees may be conferred, diplomas or certificates as is usual in such colleges. Degrees.

SECTION 7. That no religious sentiments shall be accounted a disability to hinder or debar students from entering said college, prosecuting their studies and receiving diplomas or certificates, or in any manner to abridge their privileges or immunities as students in any department of said college. Who may<sup>1</sup> enter college.

SECTION 8. That the time, place and manner of holding and conducting the stated and regular meetings of the board of trustees, may be established from time to time by the rules and regulations of the corporation, and also the manner of calling special or extra meetings of the board. Meetings of trustees.

SECTION 9. That no misnomer of said corporation shall defeat or annul any gift, grant, conveyance, assurance, devise or bequest to the said corporation, or vitiate the same, if the corporation be sufficiently described, so that the intention of the parties be obvious. Grants, devises, &c.

SECTION 10. That the legislature hereby reserve the right to alter, amend or annul the charter and privileges hereby granted, whenever in their opinion the same may be necessary for the public good, in such manner, however, that no injustice shall be done to the corporators. Reservation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 424.

## A N A C T

For the relief of Sarah Bishop, the Widow of an old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby instructed and directed to pay to Sarah Bishop, of the Twenty-second ward, city of Philadelphia, widow of Paul Bishop, an old soldier of the Revolutionary war, a gratuity of forty dollars and an annuity of forty dollars during the term of her natural life, payable half yearly, dating from the first day of January, one thousand eight hundred and fifty-seven.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 425.

## A N A C T

For the relief of Elizabeth Edgar, a Widow of a Soldier of the Revolutionary War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Elizabeth Edgar, of Chester county, a widow of James Edgar, a soldier of the Revolutionary war, a gratuity of forty dollars and an annuity of forty dollars during life, payable half yearly, to commence on the first day of January, one thousand eight hundred and fifty-seven.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 426.

## SUPPLEMENT

To the Charter of the Philadelphia and Baltimore Central Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia and Baltimore Central railroad company shall have power under this act to alter the location of their road so as to avoid high grades and short curves, and also to make the terminus of said road in West Philadelphia instead of at Grub's bridge, on the West Chester and Philadelphia railroad: *Provided,* That all damage resulting from said alterations shall be assessed under the provisions of the general railroad law, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and its supplements: *Provided,* That the said road, so far as it may extend within the city and county of Philadelphia, shall be located on the south side of the Philadelphia and Baltimore turnpike.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 427.

## AN ACT

For the relief of Sarah Patterson, Widow of a Revolutionary Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized to pay to Sarah Patterson, of Westmoreland county, widow of a soldier of the Revolutionary war, a gratuity of forty dollars and an annuity of

forty dollars during the term of her natural life, payable half yearly, commencing on the first day of January and July.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 428.

## AN ACT

To confirm the Plan of the First Section of the Survey of Kingsessing, in the Twenty-fourth ward, Philadelphia, and to authorize Fifty-second Street to be opened.

Survey confirm-  
ed.

Duty of depart-  
ment of surveys.

Fifty-second  
street to be  
opened.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the plan of the survey and regulation of the first section of Kingsessing, as made by the surveyor of the twelfth district of the city of Philadelphia, and approved by the chief engineer and surveyor, one copy of which plan is now on file in the office of the board of surveyors, and a duplicate thereof in the office of said surveyor of the twelfth district, be and the same is hereby confirmed, and the streets, lines, heights and grades marked and designated on said plans are hereby fixed and established; and the department of surveys of the city of Philadelphia are hereby authorized and directed to have the remaining portion of Kingsessing (except the meadow land) completed without unnecessary delay, in strict accordance with the plan hereby confirmed.

SECTION 2. That the chief commissioner of highways of the city of Philadelphia be and he is hereby directed to open and make passable Fifty-second street, as laid down on said plan of the first section of the survey of Kingsessing, from Darby avenue to Baltimore avenue; and also said Fifty-second street, as laid down on the plan of the first section of the survey of Blockley, from said Baltimore avenue to Market street; the damages to property owners (if any there be) to be assessed and paid as is by law provided.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 429.

## A N A C T

For the relief of James Hutchison, of Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer pay to James Hutchison, of Chester county, the sum of seventy-five dollars, for damages sustained by him by the Columbia and Philadelphia railroad, as reported to the legislature by the canal commissioners, April fifteenth, one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 430.

## A N A C T

Changing the time of holding the Township Elections in the township of Pine Grove, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the elections for township officers in the township of Pine Grove, in the county of Venango, shall hereafter be held on the second Friday in February annually; and so much of any law or laws as is inconsistent herewith is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 431.

## AN ACT

Relative to Militia Fines in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Washington county are hereby authorized to make such settlements and exonerations of militia fines hereafter, until the first Monday of August next, as they were under existing laws authorized to make on or before the first Monday of July, one thousand eight hundred and fifty-six.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 432.

## A SUPPLEMENT

To an act to incorporate the Manheim and Lebanon Plank and Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled “An Act to incorporate the Manheim and Lebanon plank and turnpike road company,” approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one, be so altered and amended that the said company may terminate said road at Mount Hope furnace, Lancaster county, a distance of about nine miles from the present borough of North Lebanon, in Lebanon county, which is hereby declared to be the starting point of said road; and said company is hereby relieved from constructing the residue of said road to the borough of Manheim, according to the requirements of said act.

Termination of  
road.

SECTION 2. That the name of said company be and is hereby changed from the Manheim and Lebanon plank and turnpike road

Name changed.

company to the North Lebanon and Mount Hope plank and turnpike road company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 433.

## AN ACT

To repeal an act annexing part of the Farm of Elisha Robinson, situate in Butler county, to Perry township, Armstrong county, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fifth section of an act, entitled "An Act constituting the town of Hampton, in Adams county, a separate school district," approved March eleventh, one thousand eight hundred and fifty, be and the same is hereby repealed.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 434.

## AN ACT

Appointing F. B. Carrington Commissioner to settle and adjust the Claims, Accounts and Affairs of old Sandy Creek township, Mercer county, and the townships of Perry, Vernon, Deer Creek, Sandy Creek, and the borough of Sheakleyville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

F. B. Carrington  
to settle certain  
claims, collect  
debts and dis-  
burse the same.

Pay of commis-  
sioners.

F. B. Carrington, of the borough of Sheakleyville, Mercer county, be and hereby is appointed commissioner, with full power and authority to collect any and all claims, debts, dues and obligations in favor of the old township of Sandy Creek, in the said county of Mercer, which may have been reported by the auditors appointed to settle and arrange the business of the said township of Sandy Creek; also, to receive any and all funds due said township, and to disburse the same, as per report of auditors, auditing and apportioning said funds among the townships of Perry, Vernon, Deer Creek, Sandy Creek, and the borough of Sheakleyville, in the said county of Mercer.

SECTION 2. That the per diem pay of the commissioners who were appointed to adjust said accounts, and the disbursing officer hereby appointed, shall be the same as township auditors.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 435.

## A SUPPLEMENT

To an act to provide for the incorporation of Insurance Companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing contained in the ninth section of the act to which this is a supplement, shall be so construed as to authorize any company incorporated under the provisions of said act to invest or employ their capital stock or other moneys in the purchase or discount of or advance upon promissory notes, bills of exchange or other negotiable paper.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 436.

## A N A C T

To incorporate the Union Temporary Home for Children.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Richard Vaux, James Henry Orne, Kingston Goddard, Charles Brown, William H. Furness, T. W. J. Wylie, John C. Farr, John Grigg, Evans Rogers, Edward W. Clarke, David C. McCammon, Augustus Heaton, J. F. Penniston, John F. Cowan, George H. Stuart, Charles J. Peterson, William West, William Abbott, Edward P. Middleton, M. W. Baldwin, Mary W. Vaux, Susan J. O'Neill, Eliza A. Brown, Josephine Kay McCammon, Annie P. Furness, Mary C. Mason, Catharine J. Farr, Sarah Carpenter, Clara J. Moore, Sallie Peterson, Mary Mitchell, Elizabeth Beaver, Elizabeth V. Graham, Mary Kimble, Martha Blackiston, Rosetta Cowan, Elizabeth Duhring, Mary Anna Mott, Irene Sill, Sarah C. Clarke, Sarah Ann Anspach, Ellen R. Drexel, Sallie B. Orne, Mary C. Gaul, Sarah Harrison, R. Caldwell, Mrs. Morrell, and their successors, and all persons who are now or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style and title of the Union Temporary Home for Children, and by that name shall have perpetual succession, and be able to sue and be sued, to plead and be impleaded in any court of law or equity or elsewhere, and shall be able and capable in law and equity to take and hold to them and their successors, either by gift, grant, devise or lease, any lands or real estate for the use of said association, and also to take and hold, for the use of the said association, any goods and chattels, sum and sums of money by gift, grant, bargain and sale, will, devise or bequest from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell for the use of the said association, and generally to do and perform all and singular the matters and things which it shall be lawful for them to do and perform for the well-being and due management of the affairs of said association: *Provided*, That the real estate of which the said corporation shall at any time be possessed shall not any time exceed the clear yearly value of ten thousand dollars.

SECTION 2. That it shall and may be lawful for the said corporation to have a common seal, to alter, change and renew the same at their will and pleasure, and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted, and to make a constitution and by-laws; not inconsistent with the articles of the third section of this act, laws of the United States or of this commonwealth.



May take white children under their guardianship.

Evidence to be annexed to commitment.

Children to be educated.

And may be apprenticed.

Proviso.

May extend relief to the poor.

Present officers continued.

Reservation.

SECTION 3. That it shall and may be lawful for the said managers and trustees, in their discretion, to take under their guardianship all poor white children who may be placed under their care and management in either of the following modes: *Firstly*, White children under twelve years of age who shall be voluntarily surrendered by their father, or in case of his death or absence, by their mother or by their guardian, to the care of the said managers and trustees. *Secondly*, White children under the age of twelve years, who may be committed to the care of the said managers and trustees by any judge of the supreme court of Pennsylvania, or of the district court of the city and county of Philadelphia, or of the court of common pleas or quarter sessions, or by the mayor of said city, on account of vagrancy or the exposure, neglect or abandonment of said children by their parents or parent, guardian or other persons having custody of said children; and it shall be the duty of the judge or mayor so committing any child to the care of said managers or trustees, to annex to the commitment an abstract of the evidence taken by him, and on which his adjudication was founded, which said evidence shall be under oath or affirmation, and taken in the presence of said child. *Thirdly*, That the said managers and trustees shall have the guardianship of the said children, so placed under their care and management, during their minority; shall cause them to be educated and instructed in a proper manner, and may, when in their discretion it shall appear proper, bind the said children, with their consent, as apprentices during their minority, to such persons, and at such places, and to learn such trades and employment as in the judgment of said managers and trustees shall be most conducive to the benefit and advantage of said children: *Provided*, That the charge and power of the managers and trustees over and upon the said children shall not, in the case of females, extend beyond the age of eighteen years; and the said managers and trustees may in their discretion return the said children to their parents or surviving parent or guardian. *Fourthly*, That the said association shall have the right, in addition to the foregoing objects, to extend relief to the poor of said city by furnishing food, clothing and other assistance as the said managers and trustees shall from time to time provide.

SECTION 4. The board of council, board of managers, committees and officers now managing the affairs of the said Union Temporary Home for Children, shall continue as council, managers, officers and committees of the corporation hereby created, until a regular election shall be held.

SECTION 5. That the legislature hereby reserves the right to alter, revoke or annul the charter of the said Union Temporary Home for Children, whenever, in their opinion, it may be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the members of the said corporation.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 437.

## AN ACT

To incorporate the Evangelical Lutheran Synod of Central Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the present members of the aforesaid synod, and their successors, shall be and hereby are created and declared to be a body corporate, by the name, style and title of the Evangelical Lutheran synod of Central Pennsylvania, and by the same name and style shall have perpetual succession, and shall be able and capable in law to sue and be sued, plead and be impleaded in all courts of law or equity or elsewhere, and to make and have a common seal, and the same to break, alter or renew at their pleasure, and also to ordain and establish a constitution and such by-laws and ordinances as shall be necessary and proper for the regulating of the temporal concerns of the synod, and for promoting religion in the churches within its bounds, and the same from time to time, and at all times hereafter, to alter or amend at their pleasure: *Provided,* That the said constitution, by-laws and ordinances, and all the acts of said incorporation, framed, enacted and promulgated by the same, shall not be inconsistent with the constitution and laws of the United States or of this state. Style.  
Privileges.

SECTION 2. That the boundary line of the said synod shall be as follows: Commencing where the Blue mountain crosses the Susquehanna river; thence in a southern direction to Fulton county; thence west to the Huntingdon county line as far as the West Branch of the Susquehanna river, and from thence down the Susquehanna river to the Blue mountains: *Provided,* That synod may enlarge or curtail the same when found by experience to be necessary or expedient. Boundaries.

SECTION 3. That the said synod and their successors, by the name and style aforesaid, shall be able and capable in law to have, purchase, take, receive and hold lands, tenements, goods and chattels of whatsoever kind, nature or quality, real, personal or mixed, which is now or may hereafter become the property of the said synod, or be held for the use of the same by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, and the same to grant, bargain, sell, mortgage, improve or dispose of for the use of the said synod, for any purpose consistent with the advancement of education, missions or religion, and the general design of this incorporation: *Provided,* That the said corporation shall not at any time hold or possess property, real, personal or mixed, exceeding the annual income or value of six thousand dollars. Powers.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 438.

## AN ACT

To change the title of the Allegheny and New Brighton Plank Road Company, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the title of the Allegheny and New Brighton plank road company shall hereafter read the Allegheny and New Brighton turnpike road company; and that the Allegheny and New Brighton turnpike road company have power to issue bonds to an amount not to exceed ten thousand dollars to complete said road, and that said company shall not issue a bond or bonds for a less amount than one hundred dollars; also, that the said company shall have power to increase their tolls one-third over their present rates, (if the board deem it advisable,) until the debts of said road are paid, and no longer.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 439.

## A SUPPLEMENT

To an act to incorporate the Northern Home for Friendless Children, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fourth section of the act of twenty-sixth January, Anno Domini one thousand eight hundred and fifty-four, entitled "An Act to incorporate the Northern Home for Friendless Children," shall be construed, and its true intent and meaning are hereby declared to authorize and empower the managers and trustees of the Northern Home for Friendless Children, of Philadelphia, in*

their discretion, to take under their guardianship children from any portion of this commonwealth, who may be placed under their care and management in either of the modes set forth in the said act.

SECTION 2. That the true intent and meaning of the fifth section of the said act is hereby declared to be, that the said managers and trustees shall have full power and authority to bind the said children, in their discretion, to such person or persons residing in or out of this commonwealth as may apply therefor; and that all indentures of apprenticeship and adoption heretofore made by the said managers and trustees of the said children to persons residing out of this commonwealth, are hereby declared to be good and valid in law, as though the said indentures had been executed to persons domiciled within this state.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 440.

## AN ACT

For the Relief of Elizabeth M'Cullough, widow of John M'Cullough, a soldier in the Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to Elizabeth M'Cullough, widow of John M'Cullough, late of Butler county, deceased, a soldier in the Indian war, a gratuity of forty dollars and an annuity of forty dollars during her natural life, commencing on the first day of January, one thousand eight hundred and fifty-seven, and half-yearly thereafter, on the first days of January and July.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 441.

## AN ACT

To appoint Commissioners to run and mark the county lines between Monroe and Pike and Wayne counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John C. Strunk, of the county of Monroe, John R. Fulmer, of the county of Pike, are hereby appointed commissioners with authority to survey, ascertain and mark the dividing line between the counties of Monroe and Pike and Wayne.

Commissioners.

To be sworn.

SECTION 2. That it shall be the duty of said commissioners, after having first taken and subscribed an oath or affirmation before a justice of the peace to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain, mark and establish the dividing line which separates Monroe from Pike and Wayne counties.

Duty to mark line.

SECTION 3. That it shall be the duty of said commissioners, on or before the first day of December, one thousand eight hundred and fifty-seven, to survey and mark said line on the ground by distinct and permanent marks, whenever and as often as the said division line crosses any public road or highway, and other convenient distances on the aforesaid line, and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, with reference to the improvements through which said line may pass, one of which they shall deposit in each of the prothonotary's office of the aforesaid counties as soon thereafter as practicable, which shall be considered as a public record.

Drafts.

Expenses, how paid.

SECTION 4. That the said commissioners shall receive as a compensation for their services the sum of three dollars per day, and necessary expenses for and during the time they shall be actually engaged in the discharge of their duties; and the commissioners shall have authority to appoint two assistants; said assistants each shall receive for their services the sum of two dollars per day, and the necessary expenses while actually engaged in said survey; and one surveyor, who shall receive three dollars per day. All the aforesaid expenses shall be paid by the said counties in the following proportions: Monroe three-sixths, Pike two-sixths, and Wayne one-sixth; said payments to be made by warrants drawn on the treasurers by the county commissioners of their respective counties.

Vacancies.

SECTION 5. That in case either of the above named commissioners should refuse to serve, or in the event of his sickness or death, the remaining ones shall appoint a suitable person, a resi-



dent of the same county in which the person resided who caused the vacancy, as commissioner.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 442.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the same jurisdiction which the mayor's court of the said city of Carbondale has over the persons and property of the citizens and inhabitants of the said city, shall extend to and embrace the persons and property of the inhabitants of the townships of Carbondale, Fell and Greenfield, in the county of Luzerne; and the lien of all judgments entered in the mayor's court of said city after the passage of this act, shall extend to the real estate of the defendants, situate in either of said townships, in the same manner and as fully as if the said real estate were situate within the limits of the said city; also, to all cases of foreign attachment, where the lands and tenements, goods and chattels, rights and credits attached shall be found within the limits of the said city or either of the said townships, and the plaintiff's demands shall not exceed one thousand dollars; also, to all cases arising under the insolvent laws of this commonwealth, under any commitment or process issuing out of said mayor's court, or before the judges thereof, within the said city or townships; also, to all cases arising under the poor laws within said city or townships; also, to all cases within said city and townships arising under the act of assembly, entitled "An Act to abolish imprisonment for debt, and to punish fraudulent debtors," passed the twelfth day of July, one thousand eight hundred and forty-two; also, to all questions of license for inns or taverns and restaurants in the said city and townships, and to bowling alleys and billiard saloons, and to mercantile appraisements.

Jurisdiction of  
mayors extended

Lien of judg-  
ments.

Attachment

SECTION 2. That the laws of this commonwealth relating to executions issued by said mayor's court against the persons and property of residents of the city of Carbondale, shall extend to

Executions.

and embrace the residents and property within the said townships of Carbondale, Fell and Greenfield; and the deputy sheriff of the county of Luzerne, acting for the said city, shall have the same authority to levy upon real estate in any of the said townships, and to sell the same and give deed therefor to the purchaser, and to give possession thereof, as if the said property were situate within the said city; and the lien of all writs of execution shall extend to the property within said townships, or any of them: *Provided*, That after the passage of this act, the notice required by law to be given for the sale of real estate on execution in two newspapers within the county, shall not apply to executions issuing out of the said mayor's court, but that such notice shall be published in one newspaper published in said city, or if none shall be published in said city, then in one newspaper nearest to the said city in the county in which said city is situate.

Proviso.

Jurisdiction of aldermen.

SECTION 3. That the jurisdiction of the aldermen of the said city shall extend to said townships of Carbondale, Fell and Greenfield, and to offences committed therein, in like manner and with like effect as though the said offences were committed in the said city.

Certain elections regulated.

SECTION 4. That from and after the passage of this act, the qualified electors of the said townships of Carbondale, Fell and Greenfield, as often as the offices of district attorney and clerk of the mayor's court are to be voted for in the said city, shall vote for the said offices, and return the votes cast in such townships respectively for the said offices to the place and at the time appointed and designated for the meeting of the return judges of said city, which votes shall be counted with the votes cast for the aforesaid offices, respectively, in said city.

Bonds

SECTION 5. That the commissioners and overseers of the poor of said city shall each give bond to the city, with one sufficient surety, to be approved by the mayor, in the sum of five hundred dollars, conditioned for the faithful discharge of their duties as such officers.

Election of councilmen.

SECTION 6. That at the next election after the passage of this act there shall be four select councilmen elected for the said city, one for one year, one for two years, one for three years, and one for four years; and that thereafter there shall be one select councilman elected annually, to hold his office for the term of four years.

Repeal.

SECTION 7. That so much of the original charter of the said city, or any of its supplements, as are hereby altered or supplied, are hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No 443.

## AN ACT

Extending Pennsylvania Avenue, in the city of Pittsburg, to the intersection of Ross and Fifth streets.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Pennsylvania avenue, in the city of Pittsburg, be and the same is hereby extended, agreeably to the provisions hereinafter mentioned, from the angle in said avenue immediately east of Chatham street, to the intersection of Fifth and Ross streets, so that the southern line of said avenue, if extended in a straight line, would strike the north-east corner of the court house lot, at the point of intersection of the lines of Ross and Fifth streets, and the said extension shall have the same width that said avenue now has east of the angle aforesaid.

Pennsylvania  
avenue extended

SECTION 2. That the court of quarter sessions of Allegheny county, on being petitioned by ten or more citizens of Pittsburg, for the opening of the street named in the preceding section, shall and they are hereby authorized to appoint six discreet and disinterested citizens, selected from the inhabitants of any portion of said city, not personally or directly interested in the extension of the Pennsylvania avenue as hereinafter provided, who after being sworn or affirmed shall proceed with as little delay as possible, to view and examine the ground proposed for the extension of the above named avenue; the said viewers, or any four of them, shall inquire what damages any individual or individuals shall or may sustain by the opening and extending said avenue as a public highway, and shall make a fair estimate of the same, and they shall inquire to whom the opening of the said avenue shall be a benefit, and they shall apportion and assess the amount of damages so found, upon and among the individuals so benefitted fairly and equitably, in proportion to the benefit received therefrom; and the said viewers, or a majority, shall file the said apportionment and assessment in the said court, to which any party conceiving himself or herself aggrieved shall have the right of appeal and a hearing; and on the said assessment and apportionment being approved by the said court, it shall be entered and recorded at large upon the docket thereof, and shall bind and conclude all parties owning or claiming to own the property adjudged by the said viewers to be so benefitted by the opening of said avenue or highway, and the sums so assessed and apportioned shall be and remain a lien upon the property so adjudged to be benefitted as aforesaid, until the same, together with the costs, shall have been paid or tendered to the persons entitled to receive the same: *Provided*, That the said report of the viewers to the court shall not be approved without the said court first having given at least

Viewers to be ap-  
pointed.

Damages.

Report.

Lien of damages.

Proviso.

ten days' notice of the time in two daily newspapers published in the city of Pittsburg.

SECTION 3. That so soon as the damages and costs so assessed shall be paid to the persons entitled thereto by said report, or into court to abide its order of distribution, the clerk shall so certify to the court, and the court shall order said avenue to be opened forthwith; in case of the inability or neglect of any of the viewers to attend, the court may appoint others to supply their places.

Collection of  
damages.

SECTION 4. That the several amounts assessed as aforesaid upon the property reported to be benefitted by the opening of said avenue, if not paid within one year with interest, after the approval of the said court, process may issue from said court in the nature of a writ or writs of *scire facias* upon a mortgage, in the name of the commonwealth, for the use of the persons or their legal representatives entitled thereto, and may be prosecuted to trial, judgment and execution for the amount of said damages, with interest from the day of approval by the court, and costs.

Expenses, how  
paid.

SECTION 5. That the expenses of viewing and assessing damages, and all other incidental matters not fully provided for in this act, shall be governed by the general road laws of this commonwealth.

Opening of ave-  
nue.

SECTION 6. That the court aforesaid, on the application of ten or more citizens for the opening of the said avenue, shall notify the recording regulator of the city of Pittsburg to proceed to lay out and mark the extension of said avenue on the ground, who shall make an accurate map or plan of the same, exhibiting the lots, streets, houses, et cetera, over which the said avenue shall be extended, with the names of the owners of lots marked thereon, which plan shall be filed in the office of the regulator aforesaid for the inspection of the citizens, a copy of which shall be furnished to the viewers, and all the expenses of this plan shall be defrayed by the city of Pittsburg: *And provided*, That any person or persons holding a lease or leases of property over and through which said avenue is extended, shall have their damages assessed under the provisions of this act; and said lessees, as well as the owners of lots to whom damages may be awarded, shall be paid the amount of said damages as soon as said avenue is opened, as extended by the provisions of this act: *And provided further*, That it shall be the official duty of the city solicitor of said city to collect said sums, amounts, assessed as aforesaid, and the same to pay over, from time to time, under the direction of said court, to the several persons to whom damages have been awarded; and for his services under this act said city solicitor shall be allowed such reasonable fees and commissions as said court may allow, which shall be paid out of the treasury of the city of Pittsburg. And it is expressly declared as the meaning of this act, that the damages or amounts so assessed as aforesaid shall be either actually paid over to the persons and parties entitled thereto, or be actually collected, and ten days' notice given by publication in one of the daily newspapers of said city, that said assessments or amounts assessed for payment of damages have been collected and will be paid on demand to the parties entitled thereto, before said persons or

parties to whom said damages shall have been awarded shall be obliged to surrender possession of their respective pieces of property embraced in the extension of said avenue, or shall be deprived of their rights and interests therein: *And provided further*, That proceedings under this act shall be commenced within one year from the first day of July, one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 444.

## AN ACT

To attach Warren and M'Kean counties to the Eastern District of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter the counties of Warren and M'Kean shall be attached to the Eastern district of the supreme court of this commonwealth instead of the Western, and all writs issued to said counties and not yet disposed of, shall be returnable to the said Eastern district the same as if originally issued therefrom.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 445.

## AN ACT

To enable Robert W. Oliver, of Indiana county, to Perfect the Title of Richard M. Clarke and others to Certain Real Estate in Mercer county.

WHEREAS, Robert W. Oliver, of Indiana county, hath sold to Richard M. Clarke and others a certain tract or parcel of land, situate in Shenango township, Mercer county, adjoining lands of Richard M. Clarke, Abraham Cramer, and others, containing twenty-eight acres more or less :

*And whereas*, Agnes Oliver, the wife of the said Robert W. Oliver, is now a lunatic, and *non compos mentis*, and by reason thereof is incompetent to unite in the execution of a deed for the said real estate :

*And whereas*, The proceeds of the sale of said real estate have been applied by the said Robert W. Oliver to pay the expenses of keeping and maintaining his said wife, Agnes Oliver :

*And whereas*, The said Richard M. Clarke and others are unwilling to accept a deed for the said real estate, subject to the right of the said Agnes Oliver to an interest of dower or otherwise therein.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That upon the application of said Robert W. Oliver, and proper proof made to the court of common pleas of Mercer county, of the foregoing facts, the said court is hereby authorized and required to appoint a suitable person as trustee, who shall, under the directions of said court, execute and deliver a deed in fee simple to the said Richard M. Clarke and others, for the tract of land aforesaid, which said deed shall be valid and effectual to all intents and purposes in law and equity to convey all the right, title and interest of them, the said Robert W. Oliver and Agnes, his wife, as if they had severally signed, sealed, acknowledged and delivered the said deed in accordance with the provisions of law.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 446.

## A SUPPLEMENT

To an act relative to Real Estate, approved the twenty-ninth day of March,  
Anno Domini one thousand eight hundred and forty-nine.

WHEREAS, By the thirtieth section of the act to which this is a supplement, Sarah Kneass, James Magee, Horn R. Kneass, Napoleon B. Kneass and Frederick F. Kneass, executors named in the last will and testament of Christian Kneass, deceased, were authorized and empowered to sell certain real estate belonging to the estate of the said Christian Kneass, situate in the city of Philadelphia, and described in the act to which this act is a supplement:

*And whereas*, The said real estate still remains unsold, and since the passage of said act Feltman Horace E. Kneass, a son of the said Christian Kneass, and one of the devisees in said will, and the said Frederick F. Kneass, also a son of said Christian Kneass, and a devisee in and one of the executors of said will, have died, both of them intestate, the latter unmarried and without issue, and the former leaving him surviving a widow and an infant child named Horace Kneass, the latter under the age of six years; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the surviving executors of the said last will and testament of the said Christian Kneass, to wit: the said Sarah Kneass, James Magee, Horn R. Kneass and Napoleon B. Kneass, be and they are hereby authorized to sell, by public or private sale, all that certain lot or piece of ground, with a certain three-story brick messuage or tenement and a certain brick stable thereon erected, situate on the east side of Delaware Sixth street, between Spruce and Prune street, in the city of Philadelphia, containing in front a breadth north and south twenty-two feet, and extending in length or depth east and west one hundred and seventy-seven feet, more or less, to a certain court or piece of open ground of the breadth of twenty-two feet east and west, and of the depth of fifty-seven feet, with the undivided third part of the soil of the said court; and to make and to execute to the purchaser or purchasers thereof a good and sufficient deed or deeds of conveyance and assurance, which conveyance and assurance shall vest in such purchaser or purchasers all the estate, right, title and interest in law or equity which the said Christian Kneass in his lifetime, and at and immediately before his death, had and held in the same, as fully and completely and with like effect as if said conveyance and assurance had been made and executed by the said Christian Kneass in his lifetime; and that the moneys arising from such sale be held and invested by the said Sarah Kneass, James Magee, Horn R. Kneass and Napoleon B. Kneass, executors as aforesaid, and the survivors and survivor of them,

upon the same trusts that the said real estate is now held by them: *Provided*, That before completing the sale of the same the said executors shall give bond to the commonwealth, for the use of the parties interested, with security, to be approved by the orphans' court of the county of Philadelphia, conditioned for the faithful application of the proceeds according to the trusts aforesaid: *And provided*, That before the execution of any deed or deeds for the same the said sale shall be approved by the said court.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 447.

### A FURTHER SUPPLEMENT

To an act to incorporate the Wilkesbarre and Scranton Railroad Company, approved the fifteenth day of February, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said company may charge and receive tolls on said road whenever any two and a half miles of said road may be completed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 448.

## A FURTHER SUPPLEMENT

To the act incorporating the Dauphin and Susquehanna Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Dauphin and Susquehanna coal company are hereby empowered to lease their railroad and property, or any portion thereof, to any contiguous coal company or railroad company, or to consolidate with any such company, by consent of a majority in number and value of the stockholders of both companies to such consolidation; and such lessee or such consolidated company shall possess all the powers and be subject to all the liabilities of both parties; and any contiguous coal company or railroad company is hereby authorized to enter into such lease or consolidation by consent of stockholders, as aforesaid.

SECTION 2. The legislature hereby reserves the right to impose such tax on tonnage passing over said road as they may deem necessary to protect the state works.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 449.

## AN ACT

Relative to the Lehigh Crane Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lehigh Crane iron company be and the same are hereby authorized and empowered to subscribe to the capital stock of the Hanover iron company, any amount not exceeding one hundred

thousand dollars: *Provided*, That the consent of a majority of the stockholders be first had and obtained.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 450.

## AN ACT

To incorporate the Commonwealth Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James J. Barclay, Louis A. Godey, John Derbyshire, Henry G. Fisher, Robert Morris, Job R. Tyson, G. D. Rosengarten, Stephen M. Winslow, William W. Harding, R. W. Barnard, A. J. Holman, Samuel Sweeney, J. T. Ricketts, J. Leslie Anderson, Charles W. Hopkins, John E. Shaw, J. S. Earle, Albert G. Waterman, Joel B. Sutherland, E. F. Prentiss and Morris Davis, John C. Martin, Thos. C. Mayberry, William A. Hill, Albert H. O'Brien, Samuel J. Rea and Edward H. Miles are hereby appointed, and they or any thirteen of them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Commonwealth Bank, to be located in the city of Philadelphia, with a capital of five hundred thousand dollars, to be divided into shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto, and to enjoy all the privileges and immunities, and be subject to all the restrictions contained in said act; *Provided*, That the said corporation shall pay into the state treasury a bonus of one per centum on its capital stock, within one year after the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK



No. 451.

## AN ACT

To incorporate the Corn Exchange Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John M. Odenheimer, Henry Budd, John Wright, George L. Busby, John Haslet, Francis A. Godwin, James D. Wetham, Henry Simons, Henry A. Steel, William H. James, Archimedes J. Buckner, Robert Ewing, Edward H. Miles, William S. Blight, Stephen H. Winslow, John Bingham, Thomas C. Pollock, James W. Quiggle, George M'Henry, James H. Orne, John Rice, Alexander R. M'Henry, William M'Kee, James Tennent, William J. P. White, Alexander Whilldin, Robert J. Mercer, Benjamin W. Tingley, George H. Stuart, Alexander G. Cattel, D. M. Noblit, Elihu E. Smith and William D. Kelley, of the city of Philadelphia, are hereby appointed commissioners, and are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Corn Exchange Bank of Philadelphia, to be located in the city of Philadelphia, with a capital of five hundred thousand dollars, to be divided into shares of five hundred dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto, and to enjoy all the privileges and immunities, and be subject to all the restrictions contained in the said act; and that the said bank shall, within one year from and after the passage of this act, pay into the treasury of the commonwealth a bonus of one per cent. on the capital stock thereof.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 452.

## AN ACT

To incorporate the Street-sweeping and Fertilizing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William H. King, Isaac Hyneman, Charles L. Rowand, Andrew Rhoads, Marshall Attmore, Jacob Ezekiel, Isaac Leech and E. P. Camp, (the said William H. King and Isaac Hyneman having received from the patent office of the United States, letters patent for a machine for sweeping streets and gutters, dated August nineteenth, Anno Domini one thousand eight hundred and fifty-six, and prepared and made certain machinery under the same, and associated with them the said Charles L. Rowand, Andrew Rhoads, Marshall Attmore, Jacob Ezekiel, Isaac Leech and E. P. Camp into a company,) and their successors be and they are hereby incorporated, and made a body politic and corporate, in fact and in law, by the name, style and title of the Street-sweeping and Fertilizing company, and by that name shall have perpetual succession, and be capable, in law, of holding and conveying such real and personal property as may be necessary for the objects of this company, may sue and be sued, plead and be impleaded in all the courts of law and equity, may have a common seal, which they may alter and renew at pleasure, and may receive, execute and deliver all such instruments of writing as may be necessary, and do such acts and things as may be necessary to assist and promote the objects and designs of this company, namely, the sweeping and cleansing of streets and gutters by machinery, and manufacturing fertilizers.

SECTION 2. That the said letters patent and machinery held by the said company shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company among the subscribers according to their respective interests, for which certificates of stock shall be issued, and be assignable and transferable in such way, and subject to such conditions as the said company may, from time to time, prescribe; and the said shares of stock so created shall be, for all legal purposes whatever, deemed and taken as personal estate: *Provided*, That the capital stock shall not exceed two hundred thousand dollars, and the par value of each share shall not be less than twenty-five dollars: *Provided also*, That the said company shall have authority to erect suitable buildings for the purpose of manufacturing fertilizers.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, (notice of the time and place of meeting having first been given by advertisement in one newspaper published in the city of Philadelphia,) and annually thereafter, at such time and place as shall be fixed upon, and shall then and there proceed to elect, by ballot, five directors,

Corporators.

Style.

Privileges.

Objects.

Stock.

Meetings of stockholders.

Elections.

to serve for the term of one year, and until others are chosen in their places, and said election shall be made by such of the stockholders of said company as shall attend for that purpose, either in person or by proxy, each share of stock to entitle the holder thereof to one vote. The directors so chosen shall elect one of their number to be president of the board of directors of said company, and in case of vacancy or absence the office shall be filled by such person or persons as the remainder of the directors or a majority of them may appoint. Votes.

SECTION 4. That the directors shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and transacting the business of the company, to declare and provide for the payment of dividends to the stockholders, and in general to superintend the business and concerns of the company: *Provided*, That such by-laws shall not be repugnant to the constitution and laws of this state or of the United States. By-laws.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 453.

## A N A C T

To incorporate the Union Bank of Reading.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Peacock, Daniel B. Kutz, Levi Wunder, Henry S. Kupp, Charles H. Hunter, Henry Conrad, William M. Baird, Joseph Henry, Charles Van Reed, Jeremiah Hagerman, David E. Stout, Mathias Mengel and Josiah Hearing be and they are hereby appointed and authorized to carry into effect, from and after the passage of this act, the establishment of a bank to be located in the city of Reading, in the county of Berks, to be called the "Union Bank of Reading," with a capital stock of three hundred thousand dollars, to be divided into six thousand shares, of fifty dollars each, with leave and power to increase said capital stock to six hundred thousand dollars, and the number of said shares to twelve thousand, the said bank to be organized, managed and governed as is provided by the act, entitled "An

Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, and to be subject to all the provisions and restrictions, and to enjoy all the privileges and immunities contained in said act and the several supplements thereto: *Provided*, That said bank shall pay into the treasury of the commonwealth one per centum on the amount of its capital within one year after its organization.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 454.

## AN ACT

To refund to Bingham and Dock, late carriers on the Columbia Railroad, certain moneys expended by them for the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of seven thousand seven hundred and sixteen dollars and two cents be and the same is hereby appropriated to Bingham and Dock, late carriers on the Columbia and Philadelphia railroad, under contract with the canal commissioners of the nineteenth day of May, Anno Domini one thousand eight hundred and fifty-two, that being the amount paid by them for the commonwealth in settlements with sundry persons for personal injuries sustained on said railroad by accidents occasioned by defects in said road, or by neglect or omission on the part of the agents of the state having charge of the trains, between the first day of July, Anno Domini one thousand eight hundred and fifty-two, and the first day of July, Anno Domini one thousand eight hundred and fifty-six; also the further sum of fourteen thousand seven hundred and eighty-six dollars and seventy-eight cents, being the amount paid by them for the repairs of cars injured by accidents occasioned by the breaking of rails on said road, or by similar neglect or omission on the part of the agents of the state having charge of the running of the trains, during the running of the contract aforesaid, between the periods specified; and also, the further sum of five thousand seven hundred and ninety-seven dollars and seventy-five cents, that being the

amount paid by them for the commonwealth, for her proportionate share of the expenses of advertisements and agencies beyond the limits of the state, to secure through trade and travel from Pittsburg to Philadelphia, during the running of said contract, and between the aforesaid periods: *Provided*, That said Bingham and Dock, before receiving said money, shall execute a release in full for all claims against the commonwealth growing out of the contract for the carrying of freight and passengers over the said Columbia and Philadelphia railroad.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 455.

## A N A C T

Providing for the Consolidation of the Lebanon Valley Railroad Company and the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the Lebanon Valley railroad company to merge its corporate rights, powers and privileges into the Philadelphia and Reading railroad company, so that by virtue of this act the two companies may be consolidated into one, and so that all the property, rights, franchises and privileges now by law vested in the said the Lebanon Valley railroad company, may be transferred to and vested in the said the Philadelphia and Reading railroad company: *Provided*, That the legislature hereby reserves the right to levy a tax upon the tonnage passing over the said Lebanon Valley railroad, extending from Harrisburg to Reading, equal to that now or hereafter imposed upon the Harrisburg, Mount Joy and Lancaster railroad.

Consolidation  
authorized.

Proviso.

SECTION 2. That said consolidation and merger shall be made under the following conditions and restrictions, to wit:

Conditions of  
consolidation.

1. The directors or managers of each corporation may enter into a joint agreement, under the corporate seal of each company, for the consolidation of the said companies and merger of said Lebanon Valley railroad company, prescribing the terms and conditions thereof, and the manner of converting the capital stock of the said the Lebanon Valley railroad company into the



stock of the Philadelphia and Reading railroad company, and all other such provisions as they shall deem necessary to perfect the said consolidation and merger.

II. Said agreement shall be submitted to the stockholders of each of the said companies at a meeting thereof, called separately for the purpose of considering the same, of the time, place and object of which meeting due notice shall be given by publication in at least one newspaper published in each of the counties of Philadelphia, Berks, Lebanon and Dauphin, for three successive weeks before said meeting; and at the said meeting of stockholders the agreement of the said directors shall be considered, and a vote by ballot taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote, and the ballots shall be cast in person or by proxy; and if a majority of all the votes cast at each of such meetings shall be in favor of the adoption of said agreement, then that fact shall be certified by the secretary of such company, together with a copy of the agreement, shall be filed in the office of the secretary of the commonwealth, whereupon the said agreement shall be deemed and taken to be the agreement and act of consolidation of said companies.

When companies  
to be deemed  
consolidated and  
its effect.

SECTION 3. That upon filing the said certificate and copy of agreement, as provided in the preceding section, in the office of the secretary of the commonwealth, the Lebanon Valley railroad company shall be deemed and taken to have merged into the Philadelphia and Reading railroad company, and the said companies to be one corporation, possessing all the rights, privileges and franchises heretofore vested in either of them by the acts of assembly incorporating the same, and the several supplements thereto; and all the property, real, personal and mixed, and debts due and rights of action shall be deemed and taken to be transferred to and vested in the said the Philadelphia and Reading railroad company, without further act or deed, in all property, all rights of way and all other interests, shall be as effectually the property of the said company or corporation as they were of either of the former corporations, parties to said agreement: *Provided*, That all rights of creditors and all liens upon the property of either of said corporations shall continue unimpaired, and the respective corporations may be deemed to be in existence to preserve the same; and all debts, duties and liabilities of either of said companies shall thenceforth attach to the consolidated company, and may be enforced against it to the same extent and by the same process as if said debts, duties and liabilities had been contracted by it: *And provided further*, That in case of any differences or inconsistencies of any nature between the acts regulating said companies respectively, that then the said consolidated company shall in all respects be regulated by the laws now governing and applicable to the Philadelphia and Reading railroad company in respect thereto.

Proviso.

Proviso.

Recording proceedings.

SECTION 4. That a certified copy, under oath or affirmation, of the proceedings of said meetings of stockholders, made by the secretaries thereof, respectively, and attached to said agreement, shall be duly recorded in the office of the recorder of deeds for the counties of Philadelphia, Lebanon, Dauphin and Berks, and certified copies thereof shall be evidence of the lawful holding

and action of such meetings, and of the consolidation of said companies, and of the merger of the said Lebanon Valley railroad company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 456.

## AN ACT

To provide for the Election of a Brigadier General, and for the relief of William F. Small.

WHEREAS, William F. Small, by an order of the supreme court of this commonwealth, made on the fifth day of June, Anno Domini one thousand eight hundred and fifty-six, was declared and adjudged guilty of a contempt of said court in persisting to exercise the office of brigadier-general of the second brigade, in the first division of Pennsylvania volunteers, against the judgment of said court, as entered on the tenth day of March preceding: Preamble.

*And whereas,* It was therefore ordered that the said William F. Small should pay the costs and expenses of the proceedings in relation to the said contempt, and for remedy of the plaintiff in that behalf, that he, the said William F. Small, should be committed to the debtors' apartment of the city and county of Philadelphia until the said costs and expenses be paid; and further, that he should stand committed until the further order of the said court, or until, on petition and habeas corpus from this court, he should on oath before one of the judges thereof, declare and say to the satisfaction of such judge, that he would always thereafter abstain from the exercise of the office of brigadier-general of the second brigade of the first division of the said militia, under or by virtue of the election and commission, or either of them, on which he had theretofore in said cause founded his claim to said office, and that a warrant should issue accordingly to the sheriff of said city and county:

*And whereas,* In pursuance of said order, and the warrant issued thereon, the said William F. Small was committed to prison, where he now remains in custody:

*And whereas,* It has been made to appear to this Legislature that the said William F. Small has and does disavow all inten-

tional disrespect to the orders of said court as aforesaid, and that his unwillingness to obey said order proceeded solely from the belief that it might involve himself in disobedience to the orders of his commander-in-chief, the governor of the commonwealth:

*And whereas,* The said plaintiff in the aforesaid case has since resigned the office of brigadier-general, and the said supreme court has decreed the commission of brigadier-general of the second brigade of the first division of the Pennsylvania volunteers, dated June fifth, one thousand eight hundred and fifty-four, and issued to William F. Small, to be vacated; therefore,

New election to  
be held.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the major-general of the first division, Pennsylvania volunteers, is hereby authorized and directed to order a new election to fill the said vacancy in the office of brigadier-general of the second brigade of said division, at such time and in such manner as is provided by law in cases of vacancy in said office.

Discharge or-  
dered.

SECTION 2. That the sheriff of said city and county be and he is hereby authorized and required to discharge from his custody the said William F. Small, and that the costs and expenses of the proceedings under which he was imprisoned be remitted.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 457.

## A SUPPLEMENT

To an act to incorporate the Pennsylvania and Lehigh Zinc Company, approved the second day of May, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the directors of the Pennsylvania and Lehigh zinc company to issue and sell corporate bonds, to be secured by a mortgage of the whole or any part of the property of the company, in such form and amounts, and payable at such periods, and bearing such rate of interest as said direc-

tors may determine, and to dispose of the said bonds, or any of them, at such rate of discount from the par thereof as they may deem expedient.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 458.

## A N A C T

To incorporate the Union Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Punroy, E. H. Frishmuth, David Faust, Jacob W. Goff, James J. Duncan, Samuel Baugh, Isaiah V. Williamson, William P. Hacker, Peter Sieger, Milton Cooper, Charles S. Ogdon, Ellis S. Archer, Henry Huddey, Elliston Perot, Charles M. Fay and Peter Fritz are hereby appointed, and they or a majority of them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Union Bank, to be located north of the south side of Market street, and east of Sixth street, in the city of Philadelphia, with a capital of five hundred thousand dollars, to be divided in shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto, and to enjoy all the privileges and immunities, and be subject to all the restrictions contained in said act, and the several supplements thereto: *Provided,* That the said corporation shall pay into the state treasury a bonus of one per centum upon its capital stock, within one year after the passage of this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 459.

## AN ACT

Relative to the State Arsenal at Philadelphia and Meadville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the adjutant general be and is hereby authorized to convey to the school directors of the borough of Meadville the arsenal property at Meadville, and all and singular the lot of ground and real estate thereunto belonging, for the use of the common schools of said borough.

Conveyance of  
Meadville arse-  
nal.

Stores to be re-  
moved.

SECTION 2. That the adjutant general is hereby authorized to remove the stores and arms in the arsenal at Meadville to the arsenal at Harrisburg.

Governor to ac-  
cept conveyance  
from city of  
Philadelphia.

SECTION 3. That the governor of the state be and he is hereby authorized and empowered to accept from the mayor of the city of Philadelphia, under the seal of the corporation of the said city, the conveyance, in fee simple to the commonwealth of Pennsylvania, of a certain lot of ground, situate on the south side of Filbert street, east side of Sixteenth street, and north of Jones street, in the said city, containing in front on said Filbert street one hundred and eighty-two feet, and extending southward one hundred and six feet to Jones street, for the purpose of erecting thereupon a state arsenal, in which the arms, military stores and equipments in the arsenal in said city shall be deposited when erected. The said conveyance to contain a covenant on the part of said city that the yearly rent charged on and reserved out of the said lot of ground shall be paid by the said city of Philadelphia, as the same hereafter shall become due and payable, in accordance with the provisions contained in an ordinance of the select and common councils of the said city of Philadelphia, approved the seventh day of April, Anno Domini one thousand eight hundred and fifty-six.

Governor autho-  
rized to apply  
certain money to  
the erection of an  
arsenal on said  
lot.

SECTION 4. That the authority contained in that part of the fifty-fifth section of the act of assembly passed the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to provide for the ordinary expenses of government, the repairs of the public canals and railroads, and other general and special appropriations," that authorizes the governor to apply the proceeds of the sale of the arsenal in said city to the purchase of a lot of ground, and to the erection of an arsenal thereon, is hereby enlarged so as to authorize and empower the governor to apply the same to the erection of an arsenal upon the lot of ground mentioned in the next preceding section of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 460.

## A N A C T

To authorize the Commissioners of Clarion and Armstrong counties to erect a Bridge over Redbank creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the counties of Clarion and Armstrong be and they are hereby authorized to erect or cause to be erected a bridge across Redbank creek, at or near the mouth of Leatherwood, and to pay for the necessary work and materials, and all expenses necessarily incurred in and about the erection of the said bridge, in the same manner as if viewers, the grand juries and the commissioners of said counties had approved the same, in accordance with the forty-sixth and forty-seventh sections of the act relating to roads and bridges, approved the thirteenth day of June, one thousand eight hundred and thirty-six.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 461.

## A N A C T

To permit the School Directors of the borough of Shrewsbury to borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Shrewsbury, in the county of York, be and they are hereby authorized to borrow, on the credit of said district, for the purpose of purchasing a lot of ground, and erecting a school house thereon, any sum of money not exceeding two thousand dollars, on the credit of said dis-

trict, at a rate of interest not exceeding six per cent., and issue bonds therefor in sums not less than fifty dollars.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 462.

## A SUPPLEMENT

To the act relating to Hack, Omnibus and Cab Drivers in the city of Erie, and to authorize the City Councils to divide the Wards of said city for election purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the city authorities of the city of Erie to regulate, by ordinance or ordinances duly enacted and published, the granting of license to draymen within the limits of said city, and to appoint such officer or officers as may be necessary to enforce the same; and any penalty or penalties provided by such ordinance or ordinances for the violation thereof, shall be sued for and recovered before the mayor or any justice of the peace of said city, in the same manner as judgments of justices of the peace founded on trespass or trover are now collectable.

Granting of licenses regulated.

Division of wards for election purposes.

SECTION 2. That it shall be lawful for the select and common councils of the city of Erie to divide any ward of said city into two districts for election purposes, to fix the places of holding elections in said city, and to appoint officers to hold the same until officers have been elected for that purpose, and the said councils shall communicate to the sheriff of the county the places so appointed, who shall publish the same in his proclamation; the judges and inspectors shall be elected in the several districts by the qualified voters thereof, in the manner and at the time now required by law; the county commissioners shall furnish the necessary boxes, blanks and papers for holding the elections in each of said districts, and they shall also furnish a list of the taxable inhabitants of each district, as now required by law.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 463.

## AN ACT

To alter an act to more Effectually Prevent the Destruction of Insectivorous Birds, and for the better Protection and Preservation of Game in the counties of Berks and Allegheny, passed the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of an act to more effectually prevent the destruction of insectivorous birds, and for the better protection and preservation of game in the counties of Berks and Allegheny, passed the twenty-sixth day of April, one thousand eight hundred and fifty-five, as prohibits the shooting of woodcock between the first day of January and the first day of September, be altered and amended so as to prohibit said shooting between the first day of January and the fourth day of July.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 464.

## AN ACT

Regulating the Election, et cetera, of Supervisors of Highways in Washington township, Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all supervisors of highways in Washington township, in the county of Franklin, shall be elected annually on the third Friday of March, and shall give bond, with sufficient security, in the name of the Commonwealth, for the use of said township, for the faithful performance of their duty, in the sum of double the amount of taxes to be collected

by them, to be approved by the auditors of said township, and be filed with one of the justices of the peace in said township.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 465.

## AN ACT

Appointing Commissioners to view and lay out a State Road in the counties of Fayette and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph L. McConel, Lot Lantz and Henry Lantz be and they are hereby appointed commissioners to view, mark and lay out a state road beginning at the cross roads near John Davidson's, in Fayette county, by way of Carmichaels and Newtown, in Greene county, to intersect the Virginia state line at or near Blacksville, Virginia.

Commissioners.

Their duties.

SECTION 2. That the said commissioners shall meet in the borough of Carmichaels, in the county of Greene, on or before the first Monday of September, Anno Domini one thousand eight hundred and fifty-seven, and appoint two chain-carriers and one axeman; and after being duly sworn or affirmed to perform the duties enjoined upon them by this act with impartiality and fidelity, shall proceed to view, mark and lay out for public use a state road between the points and by way of the places named in the first section of this act, the vertical departure from a horizontal line at no place to exceed four degrees, except at crossings of streams and ravines, where by moderate excavation, filling or bridging the declination of said road may be preserved within that limit.

Drafts.

SECTION 3. That said commissioners shall, with as little delay as possible after said survey, make drafts of said road as located by them, on which shall be noted the courses and distances, the crossing of streams, of county and township lines, and the improvements through which said road may pass; one of which shall be forwarded to the secretary of the commonwealth, to be filed in his office as a matter of record, and one to be filed in the office of the clerk of the court of quarter sessions of the respective counties through which said road may pass.

SECTION 4. That the said commissioners shall also assess and return to the courts of quarter sessions of the respective counties, with the drafts, a correct and true assessment of damages which will be done to the owner or owners of lands through which said road may pass, by the opening thereof; and the said courts are hereby authorized to grant reviews to assess damages upon the petition of persons interested therein, or upon the request of the county commissioners of either of the counties through which said road passes. Damages.

SECTION 5. That said commissioners shall have the power to vacate any road or parts of roads that may be supplied or rendered useless by the location of the road authorized by this act. May vacate roads.

SECTION 6. That it shall be the duty of the supervisors of the several townships through which said road may pass, to proceed to open and make said road as other roads are opened and made. Opening of roads.

SECTION 7. That the commissioners, chain-carriers and axemen shall be allowed two dollars per day each, and if one of the commissioners shall act as surveyor, he shall be allowed three dollars per day; the accounts of said commissioners, chain-carriers and axemen shall be adjusted by the county commissioners of the counties through which said road may pass, and be paid out of the treasuries of the same, according to the time actually employed in their respective counties. Pay.

SECTION 8. That the courts of quarter sessions of the counties through which said road may pass, shall have power to grant reviews and re-reviews upon said road, according to the provisions of the road laws of the commonwealth applicable to said counties, for the purpose of changing the location of the whole or any part thereof. Reviews and re-reviews.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 466.

## A N A C T

To incorporate the Bells Mills and Fallen Timber Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



Commissioners. B. F. Bell, Samuel Milliken, John Bell, Samuel M. Bell, junior, John Halfpenny, John Botherlin, J. C. Caldwell, Alexander Holliday, Thomas Bingham, George Walters, John Hallen, Thomas Hallen, John B. Glesgow, Joseph Miller, Isaac Gates and G. W. Hack, or any five of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company

Style. by the name, style and title of the Bells Mills and Fallen Timber turnpike and plank road company, with power to lay out and construct a turnpike and plank road from Bells Mills, in Blair county, to some point on Clearfield creek, at or near G. W. Hack's, in Cambria county; and they are hereby invested with all the powers and privileges and subject to all the restrictions granted to such companies by the act of assembly regulating turnpike and plank road companies, passed and approved the twenty-sixth day of January, one thousand eight hundred and forty-nine: *Provided*, That the company, if there be need, shall have the privilege of making a portion of their road at an angle of five degrees from a horizontal line: *And provided also*, That the company shall not be required to grade and plank, or gravel, or stone more than twelve feet in width, with suitable places for passings, before the road may be taken up and appropriated to public use, according to said act of assembly.

Route.

Subject to.

Proviso

Capital. SECTION 2. That the capital stock of said company shall consist of five hundred shares of twenty-five dollars each; and the company may if the same should be needed to complete their road, and to carry out the true intent of this act, increase the amount of their capital stock to any amount not exceeding five hundred additional shares of twenty-five dollars each, by a vote of the stockholders at a regular meeting called for that purpose.

Limitation. SECTION 3. That if the said company shall not commence the construction of their road within three years after the passage of this act, and complete it so far at least as to the summit of the Allegheny mountain within six years, then the same shall be null and void, except so far as to authorize the settlement of the affairs of the company and the payment of its debts.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 467.

## AN ACT

To incorporate the Central Bank of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Gilbert L. Lloyd, Hugh M'Neal, John Walker, James Madera, Thomas Bingham, William W. Jackson, Samuel W. Rhodes, William M'Farland, John Miller, Robert M. Lemon, Alexander L. Holliday, Nicholas Hewit, Joseph Smith, Thomas C. Macdowell, Alexander M. White, J. A. Landis and Joseph Higgins, be and they are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered to establish a bank, to be called and known by the name, style and title of "The Central Bank of Pennsylvania," to be located in the borough of Hollidaysburg, in the county of Blair, with a capital of three hundred thousand dollars, which shall be divided into six thousand shares of fifty dollars each, to be organized, managed and governed as is provided for by the act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and to be subject to all the provisions and restrictions and to enjoy all the immunities and privileges in said act contained, as well as the several supplements thereto: *Provided,* That the said corporation pay into the state treasury a bonus of one per cent. on its capital stock within one year after the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 468.

## AN ACT

Repealing a Tax on Dogs in the township of Middletown, in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the provisions of the twelfth section of an act approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to incorporate the president and managers of the Belmont avenue and plank road company, in Philadelphia county, and for other purposes," be and the same is hereby repealed so far as the same relates to the taxing of dogs in the township of Middletown, in the county of Bucks, and all moneys collected and to be collected as dog tax shall be appropriated to the school fund of said township for school purposes.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 469.

## AN ACT

Relating to the Salaries of the Judges of the District Court and Court of Common Pleas in and for the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the yearly amount of the salaries to be paid to the judges of the district court of Allegheny county, and the salary of the president judge of the court of common pleas, orphans' court, et cetera, be and they are hereby declared to be made, and to be equal to the salaries of the judges of the same courts respectively in the city of Philadelphia.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 470.

## AN ACT

Relative to the Election of Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the qualified voters of any township in this Commonwealth shall desire to elect more than the number of supervisors now prescribed by law for such township, such qualified voters may at the time and place of holding the constables' elections in such township, express such desire and consent in the following manner, namely: such of the said voters as are in favor of electing more supervisors shall vote tickets labelled on the outside with the word "supervisors" and the inside of such ticket shall contain the word "increase one," or "increase two," or more as they may desire, and such of the said voters who are opposed to the election of more supervisors shall vote tickets labelled "supervisors" on the outside, and the inside of such ticket shall contain the words, "no increase;" and if it shall appear by such election that a majority of the qualified voters of such township, who shall have voted at such election, are in favor of electing more supervisors, then such additional number of supervisors shall, at the next constables' election thereafter, be elected and qualified in the same manner as supervisors are now by law elected and qualified: *Provided,* That no election shall be held under this act, unless at least thirty qualified voters of the proper township shall give notice in writing to the constable thereof that they desire to vote at the next constables' election thereafter for such increase, and on receiving such notice the said constable shall, by at least six printed or written handbills, put up in the most public places in said township, at least twenty days before said election, give notice that at said election a vote will be taken to ascertain whether the qualified voters of said township consent to the election of a greater number of supervisors.

How number of supervisors may be increased.

SECTION 2. That the supervisors elected in pursuance of this act shall, in connection with the supervisors elected under existing laws, perform all the duties and be subject to all the responsibilities imposed by law on supervisors of public roads.

Their duties and powers.

SECTION 3. That if the qualified voters of any township in this commonwealth shall desire to diminish the number of supervisors to which the said township is by law entitled, such decrease shall be made by an election held at the time and in the manner as directed in the first section of this act for the increase thereof, and such of the said voters as are in favor of such decrease shall vote ticket labelled on the outside with the word "supervisors," and the inside of such tickets shall contain the words, "decrease one," or more, as the case may be, and such of the said voters as are opposed to such decrease shall

How number of supervisors may be decreased.

vote tickets labelled as aforesaid, and the inside of such ticket shall contain the words, "no decrease;" and if a majority of such voters shall be in favor of such decrease, the said township shall thereafter elect only the number which shall be fixed as aforesaid: *Provided*, That no such election shall be held under this act, unless upon call of at least thirty of the voters of such township, made in the manner directed in the proviso to the first section of this act in cases of increase of the number of said supervisors: *Provided further*, That the provisions of this act shall not apply to the city and county of Philadelphia.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 471.

## A SUPPLEMENT

To an act, entitled "An Act relative to the sale of Land for the Non-payment of Taxes in the counties of Venango and Wyoming."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the second and third sections of an act, entitled "An Act relative to the sale of lands for the non-payment of taxes," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six, shall not be so construed as to apply to any tax assessed prior to the first day of September, Anno Domini one thousand eight hundred and fifty-six: *Provided*, That the provisions of this act shall extend only to the counties of Venango and Wyoming.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 472.

## AN ACT

To exempt the property of the National Guards of the city of Philadelphia, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate owned by the infantry corps of the National Guards of the city of Philadelphia, situate on the south side of Race street, between Fifth and Sixth streets, in said city, being sixty-six and one-half feet front and one hundred and thirty feet deep, be and the same is hereby exempted from taxation for a period of ten years, or so long as the said military organization shall use and occupy the same as an armory.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 473.

## AN ACT

Relative to the Real Estate of Valentine Brobst, deceased.

WHEREAS, Valentine Brobst, late of the city of Reading, lately died seized of sundry real estate situated in this commonwealth, having first made his last will and testament in writing, wherein and whereby he directed that after his assignees settled their accounts and were discharged, that his remaining real estate should be sold by his executors:

*And whereas,* His assignees have settled their account and have been duly discharged:

*And whereas,* The executors therein named, and the several administrators with the will annexed, having either died, renounced or been discharged, letters of administration *de bonis non* with the will annexed, were duly granted to C. Diana Johnson who, by letters of attorney, bearing date the eleventh day of

July, Anno Domini one thousand eight hundred and fifty-three' did constitute and appoint John Riffert, her true and lawful attorney, for her and in her name, amongst other things, to sell and convey the real estate of said testator, et cetera; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all sales either private or public, of any of the real estate of the said Valentine Brobst, deceased, heretofore made or that may hereafter be made by said John Riffert, in pursuance of the said letter of attorney and directions of said will, shall be deemed good and valid, and shall vest in the purchaser or purchasers thereof, a title in fee simple or such other estate as may be mentioned in the deed or deeds of conveyance.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 474.

## AN ACT

Relating to the sale of the Real Estate of Jacob Frederick Merkle, late of the city of Reading, Berks county, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain deed of conveyance, executed by E. Jonathan Deininger, executor of the last will and testament of Jacob Frederick Merkle, late of Reading, Berks county, deceased, to Gottfried Eben, dated the second day of April, one thousand eight hundred and forty-one, recorded in the office for recording of deeds, et cetera, at Reading, in and for Berks county, in deed book A, volume forty-seven, page three hundred and eighty-eight, for all that certain house and part of a lot of ground situate on the north side of Penn street, in the said borough (now city) of Reading, and numbered in the general plan of the town one hundred and nine, containing in breadth from east to west fifteen feet, and in length from north to south two hundred and seventy feet, bounded on the west by the other part of said lot number one hundred and nine, the property of John Habrackner, now deceased, on the north by a twenty feet alley, on the east by lot

number one hundred and ten, the property of Doctor Gerhard G. Bishoff, now deceased, and on the south by said Penn street, shall be deemed and taken to be as valid, and to convey to and vest in the said Gottfried Eben, his heirs and assigns, all the right, title and interest which the said Jacob Frederick Merkle had at and immediately preceding his death, of, in and to the said house and part of a lot of ground in said deed mentioned and described, with the appurtenances, with the same effect, to all intents and purposes, as if the said Jacob Frederick Merkle had, in his last will and testament, given express power and authority to said E. Jonathan Deininger, the executor thereof, to sell said real estate.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 475.

## AN ACT

To repeal the act, approved eighth May, one thousand eight hundred and fifty-two, authorizing the laying out of a State Road from Murrys ville to Stewart's Station, on the Pennsylvania Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act authorizing the laying out of a state road from Murrys ville, in Westmoreland county, to Stewart's station, on the Pennsylvania railroad," be and the same is hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 476.

## AN ACT

Authorizing the laying out of a State Road from a point at or near Shannon's Hay House, in Washington county, to M'Nall's Saw Mill, in Allegheny county.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John N. M'Donald and Richard Donaldson, of Washington county, and John M'Cluskey, of Allegheny county, be and they are hereby appointed commissioners to view and lay out a state road from a point at or near a hay house of James Shannon, in Robinson township, Washington county, to a saw mill of George M'Nall, in Allegheny county, on a road leading from Hickory, in Washington county, to Clinton, in Allegheny county.

Route.

Oath

SECTION 2. That it shall be the duty of said board of commissioners, or a majority of them, after taking and subscribing an oath or affirmation before some competent authority to perform the duties enjoined upon them by this act with impartiality and fidelity, to carefully view the ground over which said road may pass, and lay out the same on the nearest and best ground to a straight line, and in no place to exceed an elevation of five degrees from a horizontal line, except on crossing ravines, where moderate filling is required.

Mark route.

SECTION 3. That it shall be the duty of the said board of commissioners plainly and distinctly to mark the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners are hereby authorized to employ one surveyor at a per diem allowance of two dollars, and two chain-carriers and one axeman, at a per diem allowance not exceeding one dollar each; and the said commissioners respectively shall receive a per diem allowance not exceeding one dollar and fifty cents for each and every day necessarily spent in the discharge of the duties enjoined by this act, to be paid in the manner and form hereinafter directed.

Drafts.

SECTION 4. That it shall be the duty of the said commissioners to make out a fair and accurate draft of the location of said road, noting the courses and distances as they occur, the improvements, and also the crossings of township lines, roads and waters, with such other matter as may serve for explanation; one copy whereof shall be deposited in the office of the secretary of the commonwealth on or before the first day of December next, and one copy in the offices of the clerks of the courts of quarter sessions of the respective counties in which said road may be laid out, on the day aforesaid, or as much sooner as practicable, which shall be record thereof; and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened

to the breadth of thirty-three feet at least, and repaired in all respects as roads are opened and repaired which are laid out by order of the courts of the several counties through which the said road shall pass.

SECTION 5. That the accounts of the said commissioners, for their own pay and the pay of their chain-carriers, surveyors and axeman, shall be made out and returned to the commissioners of the several counties through which said road may pass or be located, in proportion to the time spent in the respective counties in locating said road, and that they be paid out of the treasury of each of the respective counties, on warrants drawn in the usual way. Expenses, how paid.

SECTION 6. That the said commissioners shall meet on or before the first day of September next, or as soon thereafter as practicable, and complete the view of said road; and if any vacancy should occur, the courts of quarter sessions of the county where such vacancy occurs shall supply the same by appointment of some suitable person or persons to perform such duty. Vacancies.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 477.

## A SUPPLEMENT

To an act to authorize the School Directors of the borough of Pine Grove, in the county of Schuylkill, to Borrow Money, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common school district of the borough of Pine Grove, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow any further sum or sums of money not exceeding two thousand dollars in the aggregate, in addition to the sum of two thousand dollars authorized to be borrowed by the act of the twenty-fourth day of March, one thousand eight hundred and fifty-six, to which this is a supplement, to be applied to the purposes of building and completing the school house, commenced on the lot purchased for that pur-



pose, at any rate of interest not exceeding seven per centum per annum, and that it may be lawful for the board of school directors of said Pine Grove borough school district to secure the money so borrowed by bonds with mortgage or mortgages upon the real estate belonging to the common school of said borough, or otherwise, subject to and in conformity with all and singular the provisions of the said act to which this is a supplement as aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 478.

## SUPPLEMENT

To an act incorporating the Northampton Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in lieu of the provision in the tenth section of the act incorporating the Northampton iron company, approved March tenth, one thousand eight hundred and fifty-seven, requiring six hundred thousand dollars to be subscribed, and one half paid in, before said act shall go into effect, it shall be lawful to carry the said act into effect whenever five hundred thousand dollars of the capital stock shall have been subscribed, and two-thirds paid in, according to the provisions thereof, and notice verified by oath given to the governor.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 479.

## AN ACT

Relative to Agencies of Foreign Insurance, Trust and Annuity Companies  
in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be paid to the treasurer of the Philadelphia association for the relief of disabled firemen of the city of Philadelphia, for the use and benefit of said association, for the relief of disabled firemen, on the first day of February in each year, by every person who shall act in the city and county of Philadelphia as an agent for, or on behalf of any individual or association of individuals, not incorporated by the laws of this state to effect insurances against losses or injuries by fire in the city and county of Philadelphia, although such individuals or associations may be incorporated for that purpose by any other state or country, the sum of two dollars upon the one hundred dollars, and at that rate upon the amount of all premiums which during the year or part of a year ending on the next preceding first day of September, shall have been received by such agent or person, or received by any other person for him, or shall have been agreed to be paid for any insurance effected, or agreed to be paid for any insurance effected or agreed to, effected or promised by him as such agent or otherwise, against loss or injury by fire in the city and county of Philadelphia.

Tax to be paid by  
agents of foreign  
insurance com-  
panies.

SECTION 2. That no person shall, in the city and county of Philadelphia, as agent or otherwise for any individual, individuals or associations, effect or agree to effect any insurance upon which the duty above mentioned is required to be paid, or as agent or otherwise procure such insurance to be effected, until he shall have executed and delivered to the said treasurer a bond to the Philadelphia association for the relief of disabled firemen of the city of Philadelphia, in the penal sum of one thousand dollars, with such sureties as the said treasurer shall approve, with a condition that he will annually render to the said treasurer, on the first day of February in each year, a just and true account, verified by his oath, that the same is just and true, of all premiums which, during the year ending on the first day of September preceding such report, shall have been received by him, or by any other person for him, or agreed to be paid for any insurance against loss or injury by fire in the city and county of Philadelphia, which shall have been effected or promised by him to be effected from any individual, or individuals, or association not incorporated by the laws of this state as aforesaid, and he will annually, on the first day of February in each year, pay to the said treasurer two dollars upon every hundred, and at that rate upon the amount of any premiums so received.

Bond to be given  
by agents of for-  
eign companies.

Penalty.

SECTION 3. That every person who shall effect, agree to effect, promise or procure any insurance specified in the preceding sections of this act, without having executed and delivered the bond required by the preceding section, shall for each offence forfeit one thousand dollars for the use of the said association; such penalty of one thousand dollars shall be collected in the name of the Philadelphia association for the relief of disabled firemen of the city of Philadelphia: *Provided*, That this act shall apply to only such persons as are bona fide agents of foreign insurance companies under the provisions of the act of one thousand eight hundred and fifty-six.

Proviso.

Report to be made by agents.

SECTION 4. That every person who, at any time hereafter, as agent or otherwise for any individual, or individuals, or association, may in the city and county of Philadelphia effect, or agree to effect any insurance specified in the preceding sections of this act, shall on the first day of February in each year, or within ten days thereafter, and as often in each year as he shall alter or change his place of doing business in the said city, report in writing, under his proper signature, to the treasurer of this state, and also the treasurer of the Philadelphia association for the relief of disabled firemen in the city of Philadelphia, the street and number thereof in said city of his place of doing business as such agent, or otherwise designating in such report the individual or individuals, and association and associations, for which he may be such agent or otherwise. And in case of default in any of these particulars, such persons shall forfeit for every offence the sum of five hundred dollars, to be recovered and collected in the name of the people of this state, for the use of the Philadelphia association for the relief of disabled firemen of the city of Philadelphia.

Repeal.

SECTION 5. That all laws or parts of laws heretofore passed inconsistent with the provisions of this act, be and they are hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 480.

## AN ACT

For the relief of Gideon Underwood, an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to Gideon Underwood, of Pittston township, Luzerne county, an old soldier, or his order, a gratuity of forty dollars and an annuity of forty dollars during his natural life; said annuity to commence on the first day of January, Anno Domini one thousand eight hundred and fifty-seven, and to be payable semi-annually on the first days of January and July.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 481.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Philadelphia, approved the twentieth day of February, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the eleventh section of the act to which this is a further supplement, as requires agents of the “receiver of taxes to attend at least two days in the month of June, and each succeeding month of the year, to receive the taxes owing by persons resident in the wards in which the following places are situated, to wit: at Germantown, Frankford, Manayunk, Bustleton, Holmesburg, Somerton, Hestonville, Haddington and Paschalville, and give notice of the time and place of attendance in at least two newspapers, not less than three times, one of which papers shall be that in or nearest to the ward where the taxes are owing,” be and the same is hereby repealed. Repeal.

Process for  
breaches of ordi-  
nances.

SECTION 2. That for all breaches of the ordinances of the city of Philadelphia, on and after the first day of July next, the original process shall be as now prescribed in cases of security of the peace: *Provided*, That the remedy by suit of *certiorari* shall be as heretofore.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 482.

## SUPPLEMENT

To the act incorporating a Company to erect a Bridge over the Allegheny river, opposite Pittsburg, in the county of Allegheny, approved the seventeenth day of February, Anno Domini one thousand eight hundred and sixteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the president and managers of the company incorporated for erecting a bridge over the Allegheny river, opposite Pittsburg, in the county of Allegheny, to take down and remove the existing wooden superstructure and piers, and repair and enlarge in a suitable manner the abutments, and erect on and over the present site thereof a new and substantial and permanent bridge: *Provided*, That the said president and managers shall proceed with all convenient dispatch to erect a sufficient durable wire suspension bridge of enlarged width and capacity for the accommodation of travel: *Provided also*, That for the purpose of promoting the safety of navigation under said bridge, that it shall be constructed with at least two piers less than the present number, exclusive of abutments: *Provided further*, That on completion of the same, the rate of toll for foot passengers shall be reduced from two cents to one cent each way, and that all female passengers shall be exempt from the payment of any toll whatever: *And provided lastly*, That the entire moneys now in the treasury of said company as a contingent fund, whether for repairs or otherwise, shall be faithfully applied, so far as the same may extend, to the cost of the new and improved bridge structure, together with all moneys derived from the sale of old materials, over and above the expense of taking down the same.

Authorized to  
build a new  
bridge.

Tolls



SECTION 2. That it shall be lawful for the president and managers to increase the capital stock to a sum which shall not in the whole exceed the sum of two hundred and fifty thousand dollars, divided into shares of twenty-five dollars. May increase capital.

SECTION 3. That the said increased capital stock, divided as aforesaid, shall be offered from time to time, as the managers may deem advisable, at public sale to the highest bidder, after thirty days' notice in two or more of the newspapers of the city of Pittsburg, and sold in lots of not exceeding five shares at a time, until the whole is disposed of: *Provided*, The said stock shall not be sold under its par value. Stock to be sold.

SECTION 4. Nothing contained in the foregoing sections is to be deemed, taken or construed as in any manner or form impairing the rights, franchises and immunities heretofore granted said company by and under the act of incorporation of this commonwealth, saving and excepting only the modifications and provisions contained in this supplement. Not to impair rights.

SECTION 5. That in case the receipts from the sale of stock shall not be sufficient to meet the expenditure for construction of said bridge, the managers are hereby authorized to issue coupon bonds, under the seal of said corporation, to the amount of one hundred thousand dollars, bearing an interest of seven per centum per annum, convertible into stock at the pleasure of the holders, and redeemable in ten years after their issue; such bonds not to be of less denomination than one hundred dollars each: *Provided*, That the amount of bonds issued, together with the stock sold by the managers, shall not exceed the sum of two hundred and fifty thousand dollars. May issue bonds.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 483.

## A SUPPLEMENT

To an act to continue an act, entitled "An Act to incorporate the subscribers to the Bank of Pennsylvania, and for other purposes," approved the fourteenth day of February, one thousand eight hundred and ten.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing contained in the act to which this is a supplement shall*

be so construed as to inhibit the sale or transfer of the stock of the Bank of Pennsylvania, to any person or persons who are not citizens of or residents in the United States, or to inhibit any such person or persons holding the same, and exercising the common right of a stockholder.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 484.

## AN ACT

To authorize the Rector, Church Wardens and Vestrymen of Saint Stephen's Church, in the city of Philadelphia, to take and hold additional Estate, real and personal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the rector, church wardens and vestrymen of Saint Stephen's church, in the city of Philadelphia, are hereby authorized to receive and hold in fee, or for any less estate, for the purposes of said corporation, or in trust for the education of youth, the support of the poor generally, or other charitable purposes, such estate, both real and personal, as may heretofore have been or may hereafter be given by deed, will or otherwise to the said corporation for the purposes aforesaid, in addition to the estate which it is entitled to hold under its existing charter: Provided, That the clear yearly income of the additional estate hereby allowed to be received and held for the purposes of its incorporation, shall not exceed the sum of twenty thousand dollars.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 485.

## A N A C T

Relating to Voting at County and General Elections in Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the qualified voters of Clinton county, at the general elections hereafter held in said county, shall, in conformity with the general election laws of this commonwealth, vote separate written or printed tickets for each person for state, county or township officers, as the case may be; and all laws to the contrary are hereby repealed, so far as relates to said county of Clinton.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 486.

## A N A C T

To enable the School Directors of the borough of Bedford to erect a School House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Bedford, for the purpose of enabling them to erect a suitable school house, are hereby authorized to levy a building tax on all property taxable for school purposes, not exceeding fifteen mills on the dollar annually; and it shall be lawful during the same period for said directors to levy sufficient tax for school purposes to keep open the common schools of said district for a period of not less than two months annually, without the forfeiture of the right of said district to its share of the state appropriation; *Provided,* That the rights

of taxation as herein specified shall not continue for a longer period than two years.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 487.

# AN ACT

To authorize the School Directors of Independent District, number one, in Ceres township, M'Kean county, to raise money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Independent school district, number one, in the township of Ceres, and county of M'Kean, be and the same are hereby authorized to assess and collect a special tax to raise the sum of twelve hundred dollars for building purposes in said district.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 488.

# AN ACT

For the relief of Nancy Lindsey, Widow of a Soldier of the Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the state treasurer be and he is hereby authorized and directed to pay to Nancy Lindsey, of Lawrence county, the widow of a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during her life, to be paid half yearly, commencing on the first days of July and January.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 489.

## AN ACT

For the relief of Joseph E. Reeder.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized to pay to Joseph E. Reeder the sum of one hundred and fifty-two dollars, for damage sustained by him on the Delaware division of the Pennsylvania canal, by reason of the breaking down of a canal bridge, as per report of canal commissioners, dated March twenty-eighth, one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 490.

## AN ACT

To refund to William Gibson and Hugh M'Master certain expenses and moneys paid by them on account of the Nicholson Land Claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to William Gibson, or order, the sum of sixty-seven dollars and thirty-seven cents, and to Hugh M'Master the sum of ninety-five dollars and twelve cents, for expenses incurred and moneys paid by them to John Danbar Creig, and others, on account of the Nicholson claim to lands occupied by them in their settlement with the commissioners appointed in pursuance of an act, entitled "An Act to settle the estate of John Nicholson and Peter Boynton," approved the sixteenth day of April, Anno Domini one thousand eight hundred and forty.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and forty-seven.

JAS. POLLOCK.

No. 491.

## AN ACT

To increase the Pay of Jurors and Witnesses in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the per diem allowance of persons attending the several courts of the counties of Montgomery, Wayne, Lancaster, York, Berks, Beaver, Lawrence, Indiana, Crawford, Lebanon and Dauphin as jurors and witnesses, shall be for jurors one dollar and twenty-five cents per day, and

for witnesses seventy-five cents per day, with mileage, and payment to be made as directed by existing laws relating thereto.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 492.

## A FURTHER SUPPLEMENT

To an act to incorporate the Farmers' Mutual Fire Insurance Company of Dover, Conewago, Newberry, and East and West Manchester townships, in the county of York, approved the fifteenth day of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all insurances now made or hereafter to be effected in the corporate name of the Farmers' mutual fire insurance company of Dover, Conewago, Newberry, and East and West Manchester townships, in the county of York, shall have the same force and effect, and be as good and available in law as if the corporate name of said company read, "the Farmers' mutual fire insurance company of Dover, Conewago, Newberry, Manchester and West Manchester townships, in the county of York."*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 493.

## AN ACT

To incorporate the Franklin Turnpike Road Company.

**Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Millan, Thomas J. Peck, Charles Boyles, Joseph Woodhead, Aaron M'Carty, Adam L. Snyder, Jonas Bedford, William J. Eldred, John Mullan, Henry Huckell, Thomas King, Joseph Pardoe, Edward Overton, Gordon F. Mason, William F. Packer and C. D. Eldred, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Franklin turnpike road company, with power to construct a turnpike road from the Big Eddy, on the Middle Branch of Towanda creek, in Bradford county, by the nearest and best route to the Sullivan county line, subject to all the provisions and restrictions of an act relating to turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided,* That the road may be constructed of clay, stone, gravel or plank, or either; and that when the company shall have completed one mile, and opened the remainder so that it can be traveled, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine.

**Style.**

**Route.**

**Subject to.**

**Capital.** SECTION 2. That the capital stock of the said company shall consist of one hundred shares of twenty-five dollars each: *Provided,* That the company may receive in subscription to its stock transfers of real estate, on such terms as may be agreed upon, and shall have power to contract for the construction of any portion of their road, to be paid by a conveyance of land so held.

**Limitation.** SECTION 3. That if said company shall not commence the construction of their road within three years, and complete it within five years, this act shall be null and void, except so much thereof as shall be necessary to wind up the affairs and pay the debts of the company.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 494.

## AN ACT

To incorporate the Cope Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William C. Ellison, Edward D. Dibble, O. Wilson Davis, John R. Barker, John B. Ellison, Samuel A. Harrison and David E. Newport, of the city of Philadelphia, are hereby appointed commissioners, who, or a majority of them, are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be located in the city of Philadelphia, with a capital stock of one hundred thousand dollars, divided into shares of fifty dollars each, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the seventh section of said act, and transact its business upon the mutual principle, in connection with its capital stock as aforesaid: *Provided,* That the said company shall not use or employ its capital stock or other moneys in the discount or purchase of bills of exchange, promissory notes or other negotiable paper.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 495.

## AN ACT

To Charter the Allegheny Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hopewell Hepburn, William Bagely, Isaac M. Pennock, Peter Peterson, James Patton, junior, William Coleman, J. K. More-

head, James S. Craft, Andrew Burke, David Campbell, R. Biddle Roberts, Rody Patterson, William M. Edgar, Alexander King, Samuel M'Clurkin, John Taggart, W. J. Morrison, W. Robinson, Jr., Robert Galway, R. T. Leech, Jr., G. W. Cass, Alexander M'Kee, Joseph Pennock, James A. Hutchison, Edward M'Quade, James Graham, Andrew Ackley, James Marshall, are hereby appointed commissioners, and they or a majority of them, after the passage of this act, shall carry into effect the establishment of a bank in Allegheny city, to be called the Allegheny Bank, with a capital of five hundred thousand dollars, to be divided into ten thousand shares, at fifty dollars each share; to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and to be subject to all the restrictions and provisions, with the immunities contained in said act, and the several supplements thereto: *Provided*, That the said corporation shall pay into the state treasury a bonus of one per centum upon its capital stock, within one year after the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 496.

## AN ACT

To vacate Gordon street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Gordon street, as the same is laid down, running from Twenty-second to Twenty-third streets, between Market and Chesnut streets, in the city of Philadelphia, be and the same is hereby vacated, and the soil therein, as also the title thereto, in fee, vested in the owners of the adjoining ground on each side thereof.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 497.

## AN ACT

Authorizing the Canal Commissioners to examine the claim of Samuel Copper, contractor on the Erie Extension, Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized and required to examine the claim of Samuel Copper, contractor on the Erie extension of the Pennsylvania canal, and if they find him entitled by equity and justice to additional compensation for labor performed under his contract, to report the amount so found, if any, to the Senate and House of Representatives.

J. LAWRENCE GETZ.

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 498.

## A SUPPLEMENT

To an act relative to Investments by Building Associations, approved May eighth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act relative to investments by building associations, approved May eighth, one thousand eight hundred and fifty-five, shall be so construed as to extend to savings fund associations incorporated by the courts of common pleas, under an act, entitled "A supplement to an act to prevent waste in certain cases within this commonwealth," passed the twenty-ninth day of March, one thousand eight hundred and twenty-two, to land and building associations, &c., approved April twenty-second, one thousand eight hundred and fifty: *Provided*, That no company, incorporated under the last recited act, or any supplement thereto, shall invest its capital stock, assets or moneys in the purchase or

discount of any promissory note, bill of exchange or other negotiable paper, nor the stock of any incorporated company, nor receive moneys on deposit, other than the regular contributions of the members thereof.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 499.

## AN ACT

To authorize the appointment of an Auctioneer in Johnstown, Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and he is hereby authorized and empowered to appoint and commission one suitable person in the borough of Johnstown, Cambria county, as an auctioneer, who shall be authorized to sell at public auction, at such times and places as he may select, all kinds of goods, wares and merchandize, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned shall, before exercising any of the powers or enjoying any of the privileges incident to said appointment, pay into the county treasury of Cambria county, for the use of the commonwealth, the sum of twenty-five dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the commonwealth, one per centum upon all sales exceeding in amount the sum of ten thousand dollars: Provided, That no commission shall issue at any one time for a longer term than one year.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 500.

## AN ACT

To authorize the erection of a Poor House by the township of Jenkins, borough of Pittston and township of Pittston, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter Winters, of the township of Jenkins, William Ford, of the borough of Pittston and Ebenezer Drake, of the township of Pittston, in Luzerne county, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passage of this act as practicable, to determine upon and with the assent of the court of the quarter sessions of Luzerne county, purchase such real estate as may be necessary and proper for the accommodation of the poor of the township of Jenkins and the borough of Pittston and township of Pittston aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act, and upon the receipt of such conveyance to execute in the name of said corporation, and deliver to the vendee or vendees, bonds or mortgage upon said real estate to secure the payment of so much of the purchase money thereof as shall then remain unpaid, and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said borough and townships; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding four thousand dollars, to be used in the payment of the expense of purchasing said farm and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

Commissioners  
and their duties.

SECTION 2. That the said Peter Winters, William Ford and Ebenezer Drake are hereby constituted directors of the poor in the borough and townships aforesaid, until successors are appointed and qualified as hereinafter provided; and they and their successors in office are hereby created a body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of said borough and townships, and shall have perpetual succession by the name, style and title of the directors of the poor of Jenkins township, Pittston borough and Pittston township, and by that name may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments not exceeding the yearly value of three thousand dollars, to erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of the poor of said borough and townships, and to provide all things necessary for the lodging, maintenance and employment of the poor of said borough and townships.

Directors appointed.

Style of corporation.

SECTION 3. That the said Peter Winters, William Ford and Ebenezer Drake shall continue in office as directors until the

Election of directors.

annual March election, in the year one thousand eight hundred and fifty-eight, at which time the qualified electors of said borough and townships shall elect three persons to serve as directors of the poor of said borough and townships, one to serve for one year, one for two years, and one for three years, and yearly thereafter the said electors shall elect one person to serve as director as aforesaid for three years: *Provided*, That at all times one of said directors shall reside in the said township of Jenkins, one in Pittston borough, and one in Pittston township, and that at the first election the director chosen from said Jenkins township shall hold his office for the term of two years, and the director chosen from the said borough shall hold his office for the term of three years, and the director chosen from said Pittston township shall hold his office for the term of one year; and the returns of all elections under this act and proceedings connected therewith shall be the same as in the case of the election of township officers: *Provided further*, That any vacancy in the said office of director by resignation or otherwise, shall be filled by the court of quarter sessions of Luzerne county until the next ensuing election of directors, when the said vacancy shall be filled by election, under the limitations aforesaid; and the said court shall have power to remove any director for gross neglect of duty or other misconduct, upon the petition of fifty or more of the aforesaid electors, upon a hearing of the complaint after reasonable notice to the director complained of.

Residence.

Terms.

Vacancies

To be sworn.

Officers.

SECTION 4. That the said directors shall, before entering upon the duties of their office, be duly sworn or affirmed to faithfully discharge the duties of said office, and the persons herein appointed directors shall, as soon as they shall think proper after the passage of this act, appoint a treasurer, steward or superintendent, collector of poor taxes and such other assistants as they shall deem necessary, who shall serve until successors are appointed; and in the month of January, in the year one thousand eight hundred and fifty-eight, and in the month of January in each year thereafter, the said directors shall appoint a treasurer, a collector, a steward, physician and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collector to give bonds with sufficient security, conditioned for the faithful performance of their respective duties, in such sum as the directors shall require; any of said officers or assistants may be removed by said directors for neglect of duty or for improper conduct in office, and the vacancies as well as all vacancies which shall otherwise occur to be filled by them.

Tax to be laid and collected.

SECTION 5. That the said directors, any two of whom shall constitute a quorum for the transaction of business, shall have power annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment not exceeding one cent on the dollar at one time, upon all real and personal estates within the borough and townships aforesaid, for defraying the expenses of purchasing said farm, erecting said buildings and maintaining the poor of said borough and townships, which shall be the same rate per centum in said townships and borough, and shall be levied upon the basis of

the last adjusted valuation, made for regulating county rates and levies, and having caused fair duplicates of such rate or assessment by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect, from every person therein named, the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable; and the said directors shall, from the time of providing by them of suitable buildings for the accommodation of said poor, exercise and perform all the powers and duties which overseers of the poor may and are now required by law to exercise and perform, within said borough and townships, except so far as such acts, duties and powers as are herein expressly prescribed or limited.

SECTION 6. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said borough and townships, file in the office of the clerk of the court of quarter sessions of Luzerne county, a certificate setting forth that such buildings are ready for the reception and accommodation of said poor, which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same; and they shall also thereupon give notice to the overseers of the poor of said borough and townships, of their readiness to receive and accommodate the poor thereof, which said overseers are required forthwith to furnish said directors with a list of the names of the persons there a charge upon said borough and townships respectively, or receiving relief therefrom, with the place of residence of each; and the said directors shall thereupon cause such poor persons, or such of them as they shall think it expedient, to be removed to said house so provided, and thereafter to be kept, lodged and maintained therein so long as such persons shall continue a charge upon said borough or townships; and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief or support from said directors, or from said borough or townships, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance and afford relief to any poor persons, without requiring them to be removed to and kept at said poor house.

Statement and certificate to be filed.

Notice to overseers.

Their duties.

SECTION 7. That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform any labor or pursue any employment; and if any poor person, unless unable by reason of age, infancy, disease, infirmity or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, such person or persons shall not be entitled to or receive any relief or assistance during such refusal, and shall immediately upon such refusal be discharged from said poor house.

Employment of poor.

SECTION 8. That the overseers of the poor of the borough and townships aforesaid shall, as soon as notified by the directors in the manner provided for in the sixth section of this act, cease to act as overseers of the poor in said borough and townships, except so far as may be required to settle, adjust and close their

Duty of overseers



accounts as overseers with said borough and townships, or with persons with whom they have transacted business; and they shall upon demand deliver to the said directors transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, papers, orders and documents pertaining to their office as overseers, and shall also pay to the said directors, or to the treasurer appointed by them, all the moneys unexpended in their hands belonging to the said borough or townships; and the said directors shall forthwith issue their warrant to the collector for the collection of all such unpaid poor taxes, which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors.

Balances to be paid.

SECTION 9. That if upon a final settlement by said overseers of the borough and townships aforesaid of their account as overseers, any balance shall be found due them, or either of them, the said balance due shall be certified by the auditors making such settlement; and thereupon the said directors are required to issue their order upon the treasurer in favor of such overseer or overseers for the amount or amounts so certified to be due.

Annual statement by steward.

SECTION 10. That the steward or manager of said poor house is hereby required yearly, on the first Monday in January in each year, to furnish to said directors a statement of the income of said real estate as nearly as the same can be done, also of excess of his expenditures over and above said income, the amount and kind of personal property then on hand, including grain, et cetera, the number of persons admitted and discharged during the year, with the number then therein, the length of time each remained, and the age and sex of each; the treasurer shall annually, on the first Monday of each year, render to said directors a just and correct account of his receipts and disbursements during the preceding year; and the said directors shall annually, in the month of January in each year, publish in the Pittston Gazette, a paper now published in the borough of Pittston, a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, with a statement of property, real and personal, then held by them.

Publication to be made.

Auditors.

SECTION 11. That the auditors of the township of Jenkins and borough of Pittston, and of the township of Pittston, shall jointly constitute a board of auditors to settle the accounts of the directors, and which auditors shall meet for that purpose on the second Monday of January in each year, and shall receive for their services each one dollar per day for every day necessarily employed.

Orders for relief regulated.

SECTION 12. That all orders issued for the relief of any poor person or persons within said borough or townships after the filing of the certificates mentioned in the sixth section of this act, shall be directed to the directors of the poor of Jenkins township, Pittston borough and Pittston township, and upon the receipt of such orders said directors, or any one of them, shall immediately proceed to inquire into the circumstances; and if the person or persons therein named are found by him to be entitled to relief, he or they shall furnish such relief, or cause such person or persons to be removed and taken to said poor house, and there kept and maintained until legally discharged. Any one of said directors shall have authority to direct a poor person to be admitted

into said poor house, but no person shall be discharged therefrom unless at his or her own request, except by the direction of at least two of said directors.

SECTION 13. That the said directors are hereby authorized to bind out poor children under their care whose parents are dead or unable to support them as apprentices, in the same manner and under the same restrictions as the overseers of the poor may now by law put out such children; and the said directors shall exercise the same power and authority over all real and personal estate of any poor person under their care, as is now by law vested in the overseers of the poor. Binding out of children.

SECTION 14. That the compensation of the treasurer, collector, steward, matron, physician and other officers or assistants shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors at each yearly settlement for the next succeeding year: *Provided*, That the compensation of said directors, from the passage of this act until the first settlement, shall be fixed by the board of auditors at the first yearly settlement; the said directors to furnish the said auditors a correct account of the time and expenses lost and incurred by them in attending to their duties, from which account the said compensation shall be fixed and adjusted. Pay of officers.

SECTION 15. That the said directors or treasurer, or any one or more of the tax payers of said borough or townships, may, within twenty days from the yearly settlement by the auditors as aforesaid, appeal from such settlement to the court of common pleas of Luzerne county, in the same manner and under the same provisions and regulations that appeal from settlements by township auditors are now allowed. Appeals.

SECTION 16. That no moneys shall be paid by the treasurer except upon orders drawn by the directors and signed by at least two of said directors. Treasurer.

SECTION 17. That all acts of assembly or parts of acts hereby supplied or inconsistent with this act, are hereby repealed. Repeal

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No 501.

## AN ACT

To provide for the payment of Certain Claims against the Commonwealth.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same, That the following sums be and the same are hereby appropriated to the several objects hereinafter mentioned, to be paid out of any money in the treasury not otherwise appropriated :*

Appropriation.

Mishler and Co.

*SECTION 2.* For the payment of the claim of Mishler and company, for damages awarded by the canal commissioners for damages occasioned by a collision on the Philadelphia and Columbia railroad on the twenty-fourth October, one thousand eight hundred and fifty-six, as per award of the canal commissioners, dated April twenty-first, one thousand eight hundred and fifty-seven, the sum of one hundred and twenty-one dollars and five cents.

Townsend and Pattenison.

*SECTION 3.* For payment of the claim of Townsend and Patterson, for damages awarded by the canal commissioners for injuries done to their cars by a collision on the Columbia and Philadelphia railroad on the fifth day of January, one thousand eight hundred and fifty-six, as per award of the canal commissioners, dated April twenty-first, one thousand eight hundred and fifty-seven, one hundred and eighty-eight dollars and forty cents.

Eves and Fairman.

*SECTION 4.* For the payment of the claim of Eves and Fairman, for injury to their canal boat, the "George Bodine," in the pool of Nanticoke dam, in July, one thousand eight hundred and fifty-five, as per award of the canal commissioners, dated twenty-first April, one thousand eight hundred and fifty-seven, two hundred and fifty dollars.

Mann and Davis.

*SECTION 5.* For the payment of the claim of Mann and Davis, for a lock house lot at Milton, on the West Branch canal, one hundred dollars, to be paid by the state treasurer on the certificate of the canal commissioners, and the title to said lot has been conveyed to the commonwealth.

M'Kean and Rambo.

*SECTION 6.* For the payment of the claim of M'Kean and Rambo, for work done on the Erie extension of the Pennsylvania canal, as per award of the canal commissioners, dated twenty-first April, one thousand eight hundred and fifty-seven, in pursuance of an act of assembly approved eighteenth February, one thousand eight hundred and fifty-seven, four hundred and sixty dollars.

Robert Steel.

*SECTION 7.* For the payment of the damages sustained by Robert Steel, for the destruction of his property by fire, on the Columbia and Philadelphia railroad, as per award of the canal commissioners, dated seventeenth of April, one thousand eight hundred and fifty-four, the sum of three hundred dollars.

SECTION 8. For the payment of the claim of E. G. Stett, for damages done to his boats and cargo in the summer of the year one thousand eight hundred and fifty-six, and on the twenty-seventh day of October, one thousand eight hundred and fifty-six, on the Allegheny Portage railroad, as per award of the canal commissioners, dated twentieth March, one thousand eight hundred and fifty-seven, four hundred and twenty-three dollars and twenty cents. E. G. Stett

SECTION 9. For the payment of the claim of James O'Conner, for injury to his section boat "Cincinnati," on the Western division of the canal, as per award of the canal commissioners, dated twenty-third day of March, one thousand eight hundred and fifty-four, four hundred dollars. James O'Conner

SECTION 10. For the payment of N. C. Marten, the sum of three hundred dollars in full for damages sustained to his real estate in the borough of Tunkhannock, by the construction of the North Branch canal, in accordance with a resolution of the canal commissioners adopted tenth September, one thousand eight hundred and fifty-three. N. C. Marten

SECTION 11. For the payment of the claim of Campbell, Simpson and company, for losses sustained by them as contractors on sections number one hundred and sixty-one and one hundred and sixty-two, and aqueduct number eight, on the North Branch extension of the canal, as assessed by the canal commissioners in pursuance of an act of assembly, approved twenty-ninth March, one thousand eight hundred and fifty-six, two thousand six hundred and fifteen dollars. Campbell and Simpson.

SECTION 12. For the payment in full to July first, one thousand eight hundred and fifty-seven, of a claim for ground rent upon lot number sixty-one and part of lot number sixty-two, in the city of Lancaster, upon which the collector's office is erected, the sum of one hundred and sixty-one dollars and seventy cents, to be paid to the heirs of William Hamilton, deceased, or their representatives. Ground rent Lancaster.

SECTION 13. For the payment of the claim of the Montour iron company, for iron furnished to the Portage railroad, two thousand nine hundred and fifty-five dollars and eleven cents. Montour iron company.

SECTION 14. For the payment of the claim of the estate of Peter Shoemaker, for damages sustained by the burning of a warehouse by sparks from the locomotive on the Allegheny Portage railroad, as per award of canal commissioners, dated April twenty-fourth, one thousand eight hundred and fifty-seven, the sum of five hundred dollars. Peter Shoemaker.

SECTION 15. For the payment of the claim of Thomas Allen, for services rendered to the commonwealth as axeman on the Erie extension of the Pennsylvania canal, as per report of canal commissioners, dated April thirtieth, one thousand eight hundred and fifty-seven, the sum of fifty dollars. Thomas Allen.

SECTION 16. For payment of the claim of the devisees of Jacob Johnson, for removing embankment and filling up excavation at the head of the Schuylkill inclined plane on the Philadelphia and Columbia railroad, as per award of canal commissioners, dated April thirtieth, one thousand eight hundred and fifty-seven, the sum of two hundred dollars. Heirs of Jacob Johnson

James Demmond SECTION 17. For the payment of damages sustained by James Demmond, for the destruction of bark, wood and fence rails by sparks from a locomotive on the Allegheny Portage railroad, as per award of canal commissioners, dated April twenty-fourth, one thousand eight hundred and fifty-seven, the sum of fifty dollars.

James Myers. SECTION 18. For the payment in full of the claim of James Myers, for work done and materials furnished on the Allegheny Portage railroad, in the year one thousand eight hundred and fifty-one, one hundred and thirteen dollars.

Andrew Scott. SECTION 19. For the payment of Andrew Scott, for state taxes paid by him in error, on certain real estate in Erie, the same being a public highway and not liable to taxation, twenty-eight dollars and forty-seven cents.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 502.

## AN ACT

To authorize the Canal Commissioners to examine the Claim of Joseph Collins.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they are hereby authorized to re-open and re-examine the claim of Joseph Collins, of Philadelphia, for hauling of cars on the Philadelphia and Columbia railroad, at West Philadelphia, and report the amount due him, if any, to this legislature.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 503.

## A N A C T

To incorporate the Bank of Catasaquua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Miller, David Thomas, John D. Stiles, Henry King, John Williams, Eli J. Saeger, Benjamin Rupp, Solomon Fogel, Owen Frederick, Franklin B. Martin, John Hudders, James S. Rees, Jonas Biery, Samuel Sieger, David A. Tombler are hereby appointed, and they or a majority of them are hereby authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Bank of Catasaquua, to be located in the county of Lehigh, with a capital of two hundred thousand dollars, with the privilege of increasing the same to four hundred thousand dollars, to be divided into shares of fifty dollars each, to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and to be subject to all the restrictions and provisions, and to possess all the immunities contained in the several supplements thereto: *Provided,* That the said corporation shall pay into the state treasury a bonus of one per centum upon their capital stock, and the same amount upon any increase thereof, within one year after the passage of this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 504.

## A N A C T

To incorporate the Philadelphia and Cape May Steam Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Corporators.	Wilmon Whilldin, Calvin Taggart, William M. Farr, Charles E. Thompson and George W. Farr, junior, and such other persons as may associate with them, their successors and assigns, are hereby created and made a corporation or body politic, in deed and in law, by the name, style and title of the Philadelphia and Cape May steam navigation company, and by that name shall have perpetual succession, and be capable in law to sue and be sued in any court of law or equity, to have and use a common seal, and generally to do all such acts as shall be necessary and proper for establishing and maintaining a steamboat line for the conveyance of passengers, goods and merchandise on the Delaware bay and river, or its tributary streams, between Philadelphia and Cape May, or such other places upon navigable tide waters as the company may desire. The capital stock of said company shall be divided into one thousand shares of one hundred dollars each, making the whole capital one hundred thousand dollars.
Style.	
Privileges.	
Capital.	

SECTION 2. That the affairs of the company shall be managed by a board of not less than seven nor more than thirteen directors, to be chosen from amongst the stockholders of said company, who shall be elected at a general meeting of the stockholders to be held immediately after the passage of this act, and on the second Monday of April in each and every year, at such hour and place as shall be designated by the by-laws, and shall continue in office until their successors are duly elected. The board of directors at their first meeting in each year, shall choose a president and such other officers as the board may deem requisite for the proper management of the business of the company; the president to be of their own number, and may fill any vacancy which shall occur in their body by death, resignation or otherwise. In electing directors, each stockholder holding one, two or three shares shall be entitled to one vote for each share; but if owning five shares, three votes, and for every additional five shares three votes. All elections for officers shall be by ballot, and a majority of all the votes cast being given for any candidate shall be sufficient to elect him.

Quorum.	SECTION 3. That a majority of the directors shall constitute a quorum; they shall hold meetings from time to time, at such time and place as shall be designated by the by-laws. The board of directors shall have power and authority to appoint and employ, and fix the compensation of all such officers, engineers and agents as may be necessary to transact the business of the company; to purchase, hire and build boats, carriages and vehicles to be used by them; to purchase, hold or rent lands necessary for the use of the company; to rent or build such wharves and houses as may be required for their business, and to enact all by-laws necessary and proper for the welfare of the company: <i>Provided</i> , That the same do not conflict with the constitution and laws of the United States or of this state; they shall establish the rates of fare for passengers and of transportation of freights, and the same alter or change when they shall deem expedient. It shall be their duty to keep a record of their proceedings, which shall at any time be subject to the inspection of a majority of the stockholders.
Powers.	
By-laws.	
Fares	

SECTION 4. That the board of directors shall, from time to time, declare dividends of the profits realized, if any, by the said company, or so much thereof as the majority of the directors shall deem expedient: *Provided*, That no part of the capital stock shall be withdrawn, or refunded to the stockholders, nor shall dividends be declared until all debts or liabilities of the company shall have been paid. Dividends.

SECTION 5. That the shares of stock aforesaid may be transferred by the owner or owners thereof, their executors or administrators, or attorney duly authorized, in a book to be kept for that purpose, in such manner as the by-laws shall direct. Transfers.

SECTION 6. That the board of directors, or the majority of the stockholders, shall have the power at any time of calling special meetings of the stockholders, and at all such meetings, as well as at the annual meetings of the stockholders, the votes shall be given in proportion to the amount of stock held by the voter, as in electing directors, and the stockholders present at such meetings shall have power to direct the winding up and closing the concerns of said company: *Provided*, That stockholders representing a majority of the stock as provided in section second shall vote for so doing. Meetings.  
Votes.

SECTION 7. That at least one week's previous notice of the time and place of holding every election for officers, and annual and special meetings of stockholders, shall be given to each stockholder personally: *Provided*, That if a stockholder be difficult of access, a notice addressed to him shall be deposited in the post office at least ten days previously. Notices.

SECTION 8. That if from any cause the election for officers be not held at the time and place appointed as aforesaid, an election shall be held at any time within sixty days afterwards, of which due notice shall be given as aforesaid. Special elections.

SECTION 9. That the said company is hereby prohibited from exercising banking privileges; and the right is hereby reserved to the legislature to alter, revoke or amend this act, whenever, in their opinion, it shall be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators. Prohibitions.

SECTION 10. That this act shall continue in force for twenty years from the passage hereof, and no longer. Limitation

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 505.

## AN ACT

To incorporate the Philadelphia and Smyrna Steamboat Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Corporators.** William S. Ball, John L. Robeson, Wilmon Whilldin, William M. Farr and Charles E. Thompson, and such other persons as may associate with them, their successors and assigns, are hereby created and made a corporation or body politic in deed and in law, by the name, style and title of the Philadelphia and Smyrna steamboat company, and by that name shall have perpetual succession, and be capable, in law, to sue and be sued in any court of law or equity, to have and use a common seal, and generally to do all such acts as are necessary and proper for establishing and maintaining a steamboat line for the conveyance of passengers, goods and merchandize on the Delaware bay and river, or its tributary streams, between Philadelphia and Smyrna, or such other places upon tide water as the company may desire. The capital stock of said company shall be divided into one thousand shares of fifty dollars each, making the whole capital fifty thousand dollars.

**Name.**

**Privileges.**

**Officers, their election and powers.** • *SECTION 2.* That the affairs of the company shall be managed by a board of not less than seven, nor more than thirteen directors, to be chosen from amongst the stockholders of said company, who shall be elected at a general meeting of the stockholders to be held immediately after the passage of this act, and on the second Monday of April, in each and every year, at such hour and place as shall be designated by the by-laws, and shall continue in office until their successors are duly elected. The board of directors, at their first meeting in each year, shall choose a president and such other officers as the board may deem requisite for the proper management of the business of the company, the president to be of their own number, and may fill any vacancy which shall occur in their body by death, resignation or otherwise. In electing directors, each stockholder holding one, two or three shares shall be entitled to one vote for each share, but for five shares three votes, and for every additional five shares three votes. All elections for officers shall be by ballot, and a majority of all the votes cast being given for any candidate shall be sufficient to elect him.

**Vacancies.**

**Votes.**

**Meetings.** *SECTION 3.* That a majority of the directors shall constitute a quorum; they shall hold meetings from time to time, at such time and place as shall be designated by the by-laws; the board of directors shall have power and authority to appoint and employ and fix the compensation of all such officers, engineers and agents as may be necessary to transact the business of the company; to purchase, hire and build boats, carriages and vehicles to be used by them; to purchase, hold or rent lands necessary

for the use of the company; to rent or build such wharves and houses as may be required for their business, and to enact all by-laws necessary and proper for the welfare of the company: *By-laws.* *Provided,* That the same do not conflict with the constitution and laws of the United States or of this state. They shall establish the rates of fare for passengers, and of transportation of freights, and the same alter or change when they shall deem expedient. *Fares.* It shall be their duty to keep a record of their proceedings, which shall at any time be subject to the inspection of a majority of the stockholders.

SECTION 4. That the board of directors shall, from time to time, declare dividends of the profits realized, if any, by the said company, or so much thereof as the majority of the directors shall deem expedient: *Dividend.* *Provided,* That no part of the capital stock shall be withdrawn or refunded to the stockholders, nor shall dividends be declared until all debts or liabilities of the company shall have been paid.

SECTION 5. That the shares of stock aforesaid may be transferred by the owner or owners thereof, their executors or administrators, or attorney duly authorized, in a book to be kept for that purpose, in such manner as the by-laws shall direct. *Transfer.*

SECTION 6. That the board of directors, or the majority of the stockholders, shall have the power at any time of calling special meetings of the stockholders, and at all such meetings, as well as at the annual meetings of the stockholders, the votes shall be given in proportion to the amount of stock held by the voter, as in electing directors, and the stockholders present at such meetings shall have power to direct the winding up and closing the concerns of said company: *Meetings of stockholders.* *Provided,* That stockholders representing a majority of the stock as provided in section second shall vote for so doing.

SECTION 7. That at least one week's previous notice of the time and place of holding every election for officers, and annual and special meetings of stockholders, shall be given to each stockholder personally: *Notice.* *Provided,* That if a stockholder be difficult of access, a notice addressed to him shall be deposited in the post office at least ten days previously.

SECTION 8. That if from any cause the election for officers be not held at the time and place appointed as aforesaid, an election shall be held at any time within sixty days afterwards, of which due notice shall be given as aforesaid. *Election.*

SECTION 9. That the said company is hereby prohibited from exercising banking privileges; and the right is hereby reserved to the legislature to alter, revoke or amend this act, whenever, in their opinion, it shall be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators: *Prohibition.* *Provided,* That the stockholders of said company shall be individually liable for all debts contracted on account of said company for work and labor and materials furnished for the same, to be sued for and collected according to the provisions of the twelfth, thirteenth and fourteenth sections of the act to incorporate the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three. *Liability*



Limitation.

SECTION 10. That this act shall continue in force for twenty years from and after the passage thereof, and no longer.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 506.

A N A C T

Relating to Special Courts in the Twentieth Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of the twenty-second day of February, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act to change the notice to be given for the holding of special courts in the twentieth judicial district," be and the same is hereby repealed, and that the special courts when required in said district, be held under the provisions of the general law and supplements thereto, in relation to special courts in this commonwealth.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 507.

## AN ACT

To compel Supervisors of Roads in the county of Dauphin, to give security.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty and the supervisors of the various townships of Dauphin county, are hereby required, before exercising the duties of their respective offices, to tender to the auditors of their respective townships, a bond with at least two sufficient sureties, to be approved of by the said respective township auditors, in a sum not less than the whole probable amount of the road tax assessed or to be assessed for the year for which such supervisors are elected, conditioned for the faithful performance of all their respective duties as supervisors, for the correct settlement of their respective accounts with their respective township auditors, and for the payment over to their successors in office, all balances of money remaining in their hands belonging to their respective townships.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 508.

## AN ACT

Authorizing the Burgess and Council of the boroughs of Port Clinton and Northumberland to construct Lock-up Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Port Clinton, Schuylkill county, and of the borough of Northumberland, in Northumberland county, be and they are hereby authorized and

Lock-up authorized.

empowered to have built or otherwise provided or supported in or near said borough, at the expense thereof, a suitable building for the security and temporary detention of any person or persons committed by a justice of the peace of said borough, or the said burgess of said borough, for any violation of the laws of this commonwealth, or of the ordinance or ordinances of the borough aforesaid, for which such person or persons could be lawfully committed to the common jail of the county aforesaid, there to remain and be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence, or until discharged according to law: *Provided*, That no person or persons shall be confined in said lock-up house at any one time for a longer period than thirty-six hours, except such person or persons be charged with an indictable offence, and it may be necessary to detain him, her or them for a legal examination.

Expenses, how  
paid.

SECTION 2. That the expenses of committing and keeping any person or persons in said house or place on a charge of any indictable offence, shall be paid by the said counties of Schuylkill and Northumberland; and for all offences against the ordinances of said borough, the expenses thereof shall be borne by the said boroughs of Port Clinton and Northumberland.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 509.

## AN ACT

Relative to the Houses of Refuge in Philadelphia and Allegheny counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the boards of managers of the houses of refuge for the reformation of juvenile delinquents, in Philadelphia and Allegheny counties, are hereby respectively authorized, whenever they deem it for the interest of any white inmate duly committed to their custody, to bind or indenture such white inmate to service during his or her minority, although the party to whom the indenture may be made may be a citizen of one of the United States other than this commonwealth: Provided, That no such indenture to*

service out of this commonwealth shall be made without the consent first given of said white inmate.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 510.

## A N A C T

Relative to the borough of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified electors of the East and West wards of the borough of Lebanon, respectively, shall elect in the manner now provided by law, one assessor and one supervisor, who shall reside in the ward for which they are chosen. Assessor and supervisor to be elected.

SECTION 2. That hereafter the town council of the borough of Lebanon may levy and collect annually, if necessary for borough purposes, any tax not exceeding one cent on the dollar on the valuation assessed for county purposes as now is or may be provided by law, on all property and persons made taxable by the laws of this commonwealth for county rates and levies. Borough tax.

SECTION 3. That the limits of said borough are hereby extended so as to embrace all the territory included within the following bounds: Beginning at a stone, the present north-east corner of the borough; thence through land of Caspar Light, north eighty-five east eighty-four and four-tenth perches, to middle of public road leading past steam house; thence along the same south four west eighty-five perches, and south six and one-half west one hundred and eighty-eight perches to a stone in middle of Schaefferstown road; thence along same north eighty-two and one-half west one hundred and thirty-two perches to the long lane; thence along the middle of said lane south one-half east sixty-nine perches to a stone; thence through out-lots south eighty-five west three hundred and thirteen perches and eight-tenths to a stone on Kreider's land; thence through Kreider's and other land north two and one quarter west one hundred and twenty-eight and one-half perches to Furnace road; thence along said road north seven west one hundred and sixty-three and one-half perches to the Forge road; thence along the same and by Boundaries extended.

the line of the borough of North Lebanon north eighty-five east sixty-eight perches to a stone, north seventy-four and three-quarters east two hundred and forty-four perches to a stone, and north eighty-five east one hundred and two and one-half perches to the place of beginning.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 511.

## AN ACT

Declaratory of an act appointing Commissioners to review and lay out a State Road from Waynesburg, in Greene county, to Benjamin Covert's, in Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act of assembly, approved April twelfth, one thousand eight hundred and fifty-six, appointing commissioners to review and lay out a state road from Waynesburg, in Greene county, to Benjamin Covert's, in Fayette county, shall not be so construed as to prevent the court of quarter sessions of Greene county from granting reviews, according to the general road laws of this commonwealth, upon the whole or any part of said road, or for the assessment of damages thereon.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 512.

## A N A C T

For the relief of Lloyd and Lemon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby required to pay to Lloyd and Lemon, late transporters, the sum of three hundred and forty-three dollars and forty-eight cents, out of any moneys in the treasury not otherwise appropriated, being the amount awarded to said Lloyd and Lemon by the canal commissioners for cars destroyed on the Allegheny Portage railroad, in the year one thousand eight hundred and fifty-six, as per report of canal commissioners, dated sixth May, one thousand eight hundred and fifty-seven.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 513.

## A N A C T

To authorize the State Treasurer to pay the claims of John Thompson, Samuel Thompson and Samuel Lessig.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to John Thompson, the sum of thirty-nine dollars and forty-two cents; to Samuel Thompson, the sum of fourteen dollars and twenty-seven cents, and to Samuel Lessig, the sum of fifteen dollars and four cents, being the amount due to them and certified to by the commissioners appointed in pursuance of the twenty-ninth section of the act of ninth May, one thousand eight hundred and fifty-four, and in accordance with the recom-

## LAWS OF PENNSYLVANIA,

mentation of the state treasurer, auditor general and attorney general.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 514.

## AN ACT

Declaring certain Creeks Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, Rattle Snake creek which enters into Little Toby's creek, in the township of Snyder, Jefferson county, and Whetstone creek, in Clearfield county, from its mouth three miles up said creek, be and the same are hereby declared public highways.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 515.

## A SUPPLEMENT

To the act relative to the Agencies of Foreign Insurance, Trust and Annuity companies, approved April ninth, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the said act to which this is a supplement shall be and the same is hereby so amended, as to apply to and embrace within its provisions all foreign associations, companies, firms, individuals or co-partnerships entered into, formed or established for insuring fire, marine, inland or life risks, granting annuities or accepting trusts, whether the same are based or established upon the stock or mutual principle or plan; and so much of said act as requires incorporated companies to deposit and file in the office of the auditor general a certified copy of their charter, shall not apply to the same; and when such associations, companies, firms, individuals or co-partnerships shall satisfy the auditor general that they have the amount of assets required by the said act to which this is a supplement, he shall grant their agent or agents a license to transact their said business within this commonwealth.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 516.

## AN ACT

Relative to a Constable in the borough of Titusville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the high constable of the borough of Titusville, in the county of Crawford, in addition to the duties enjoined by the charter of said borough, is hereby authorized hereafter to discharge the duties of a constable with like power and duties, and subject to like requirements, obligations and penalties as are provided in the law relative to the election and duties of township constables of this commonwealth.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## LAWS OF PENNSYLVANIA,

No. 517.

## AN ACT

For the relief of Elizabeth Boies, Widow of an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized to pay Elizabeth Boies, of Lawrence county, widow of a soldier of the Indian war, a gratuity of forty dollars and an annuity of forty dollars during her natural life, payable half yearly, commencing the first day of January and July.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 518.

## AN ACT

For the relief of Mary Hayden, Widow of an Old Soldier of the Revolutionary War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay Mary Hayden, of George township, Fayette county, a widow of John Hayden, a soldier of the Revolutionary war, a gratuity of forty dollars and an annuity of forty dollars during her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-seven, and half yearly thereafter on the first days of January and July.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 519.

## AN ACT

To repeal the Proviso to the Eighth Section of an act, entitled "An Act to repeal the Nicholson Court of Pleas," &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the proviso to the eighth section of the act of March eleventh, one thousand eight hundred and forty-three, entitled "An Act to repeal the Nicholson court of pleas, and to release the lien of the commonwealth on the estate of John Nicholson, deceased," be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 520.

## AN ACT

For the relief of William Fury, late Treasurer of Centre county.

WHEREAS, William Fury, late treasurer of Centre county, was robbed at Harrisburg, where he had gone for the purpose of paying over to the state treasurer the amount of state tax in his hands, of the sum of one thousand and eighteen dollars:

*And whereas,* The said William Fury has prosecuted to trial and conviction, in the court of quarter sessions of Dauphin county, the perpetrators of the robbery aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and is hereby authorized and directed to credit William Fury, late treasurer of Centre county, upon the final settlement of his account, with the sum of one thousand and eighteen dollars, which credit shall have the same effect as if it had been paid into the treasury on the eighteenth day of



## LAWS OF PENNSYLVANIA,

October, one thousand eight hundred and fifty-one: *Provided*, That the balance of said claim shall be paid within six months from and after the passage of this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 521.

## A N A C T

Declaring Tionesta creek and its branches a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Tionesta creek and the branches thereof above Joseph Hall's mill, in Mead township, Warren county, is hereby declared a public highway.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 522.

## A N A C T

Supplementary to an act for the protection of Miners, Mechanics and Laborers in certain counties, passed the second day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the provisions of an act for the protection of miners, mechanics and laborers in certain counties, passed the second day of April, in the year of our Lord one thousand eight hundred and forty-nine, together with the provisions of the tenth section of an act (amongst other things) relative to miners in Schuylkill county, extending the limit of fifty dollars contained in the first and second sections of the act aforesaid, to one hundred dollars, so far as refers to the county of Schuylkill, passed the fourteenth day of April, in the year of our Lord one thousand eight hundred and fifty-one, be and the same are hereby extended to the counties of Northumberland, Dauphin and Lancaster.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 523.

## AN ACT

To divide the borough of Wilkesbarre, in the county of Luzerne, into two Wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the territory now included within the bounds of the borough of Wilkesbarre, in said county of Luzerne, be and the same is hereby divided into two wards, as follows, to wit: All that part lying northerly of Main street, to be called North ward, and that part lying southerly of Main street, to be called South ward, each of said portions of territory to be a distinct ward: *Provided,* That if any additional territory be hereafter added to said borough, the town council may, by ordinance, apportion and attach the same to both or either of said wards. Divided into two wards.

SECTION 2. That each of said wards shall constitute and form a separate election district, and the qualified electors therein shall, whenever necessary, vote for and elect for each ward two justices of the peace, one constable, one assessor and two assistant assessors, when required by the laws of this commonwealth, one overseer of the poor, one school director, annually, so as after the present board of directors are out of office to give three directors for each ward, one judge and two inspectors of elections to serve for the terms specified by law; and further, shall also, with the electors of the other ward, vote for and elect one burgess, nine members of the town council, four of whom at Officers to be elected.

least shall be resident in North ward and as many in South ward, one high constable to serve one year, and one auditor to serve for three years; which elections shall be held at the places hereinafter mentioned, on the third Friday in March next, and at the same time in each year thereafter, by the officers appointed and elected for such purposes, returns of such elections to be made as now provided by law: *Provided*, That one return judge from each ward shall meet together at the place where the town council usually hold their meetings, on the day after each election, and there add together the number of votes given for the officers to be elected by the united vote of both wards in respect to each office and station, and give certificates, and make returns as now required on the election of such officers, those having a plurality of all the votes given in both wards, controlled only by the qualification of the required residence as aforesaid, being returned as duly elected: *Provided further*, That the justices of the peace now commissioned and acting in said borough shall continue to hold their offices during the continuance of such commissions respectively, or until a vacancy occur by resignation or otherwise in either ward: *And provided also*, That at the next election, unless further vacancy occur, there shall be an election for but one justice, who shall reside in and be elected by the votes of South ward.

Where elections  
to be held.

SECTION 3. That the general and ward elections within said borough shall hereafter be held at the following places, to wit: in North ward, at the public house now called Steele's hotel, and in South ward, at the public house now called the American hotel, both situate and fronting upon the public square in said borough.

Election of  
officers.

SECTION 4. That the following named persons, John Reichard as judge, and Joshua Miner and Edmund Taylor as inspectors, shall be the officers to hold the general and all other elections in North ward, until others be duly elected or appointed, and that the election officers elected in March, one thousand eight hundred and fifty-seven, for the borough generally, shall be the election officers of South ward (they being now residents within said territory) until others be duly elected or appointed.

Wilkesbarre  
township.

SECTION 5. That the township and general elections for the township of Wilkesbarre shall hereafter be held at the Exchange hotel in the borough of Wilkesbarre, now kept by S. H. Puterbaugh.

Election council-  
men.

SECTION 6. That of the nine members of council whose election is provided for in the second section of this act, there shall only be such number annually elected as shall supply the places of those whose terms will expire for the current year, as provided by the law already in force on that subject: *And provided also*, That there shall be no change in the time of the election of such officers as are now elected in the said borough in the month of May annually.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 524.

## AN ACT

Making Front street and Peachtree alley, in the village of Halifax, Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Front street and Peachtree alley, in the village of Halifax, Dauphin county, be and the same are hereby declared public highways, and subject to all the provisions of the general road laws.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 525.

## AN ACT

Relative to the Union School and Children's Home, established in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers and trustees of the Union School and Children's Home, established in Philadelphia, are authorized and empowered, in their discretion, to take under their guardianship white children from any portion of the commonwealth, who may be placed under their care and management, in either of the modes set forth in their act of incorporation. May assume guardianship.

SECTION 2. That the said managers and trustees shall have full power and authority to bind the said white children, in their discretion, to such person or persons residing in or out of this com- And bind out.

monwealth as may apply therefor, with the consent of the child.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 526.

## AN ACT

Prescribing the Time and Manner of submitting to the People for their Ratification or Rejection the Proposed Amendments to the Constitution.

Preamble.

WHEREAS, A joint resolution proposing certain amendments to the constitution of this commonwealth has been agreed to by a majority of the members elected to each house of the legislature, at two successive sessions of the same, the first session commencing on the first Tuesday of January, in the year of our Lord one thousand eight hundred and fifty-six, and the second session commencing on the first Tuesday of January, in the year of our Lord one thousand eight hundred and fifty-seven :

*And whereas,* It is provided in the tenth article of the constitution, that any amendment so agreed upon shall be submitted to the people in such manner and at such time, at least three months after being so agreed to by the two houses, as the legislature shall prescribe ; therefore,

Governor to issue writs to sheriffs.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of ascertaining the sense of the citizens of this commonwealth in regard to the adoption or rejection of said amendments, or either of them, the governor of this commonwealth shall issue a writ of election directed to the sheriff of each and every county of this commonwealth, commanding them to give notice in the usual manner, in not less than two newspapers in each county, provided that so many are published therein, that an election will be held in each of the townships, wards and districts therein, on the second Tuesday in October, in the year of our Lord one thousand eight hundred and fifty-seven, for the purpose of deciding upon the adoption or rejection of the said amendments, or any of them ; which said election shall be held at the places, and opened and closed at the time at and within which the general elections of this commonwealth are held, opened and closed ; and it shall be the duty of the

Duties of sheriffs.

Opening and closing of polls.



judges, inspectors and clerks of each of said townships, wards and districts to receive at the said election tickets either written or printed, or partly written and partly printed, from citizens duly qualified to vote for members of the general assembly, and to deposit them in a box or boxes to be for that purpose provided by the proper officers; which tickets shall be respectively labelled on the outside, "first amendment," "second amendment," "third amendment," and "fourth amendment," and those who are favorable to said amendments, or any of them, may express their desire by voting each as many separate written or printed, or partly written or printed ballots or tickets, containing on the inside thereof the words, "for the amendment," and those who are opposed to such amendments, or any of them, may express their opposition by voting each as many separate written or printed ballots or tickets containing on the inside thereof the words, "against the amendments."

Duty of judges, &c.

Tickets, how labelled.

SECTION 2. That the election on the said proposed amendments shall in all respects be conducted as the general elections of this commonwealth are now conducted; and it shall be the duty of the return judges of the respective counties and districts thereof, first having carefully ascertained the number of votes given for or against each of said amendments in the manner aforesaid, to make out duplicate returns thereof, expressed in words at length and not in figures only, one of which returns so made shall be lodged in the prothonotary's office of the court of common pleas of the proper county, and the other sealed and directed to the secretary of the commonwealth, and by one of said judges deposited forthwith in the most convenient post office.

Election, how conducted.

Returns.

SECTION 3. That it shall further be the duty of the secretary of the commonwealth, on receiving the said returns for and against the said amendments, to deliver the same to the speaker of the Senate on or before the first Monday after the organization of the next legislature after the said returns shall so be received, who shall open and publish the same in the presence of the members of the Senate and House of Representatives on the next Tuesday thereafter; and when the number of votes given for and the number of votes given against the said amendment shall have been summed up and ascertained, duplicate certificates thereof shall be signed by the speaker of the Senate and the speaker of the House of Representatives, one of which shall be filed in the office of the secretary of the commonwealth, and the other delivered to the governor, whose duty it shall be to declare by proclamation whether the amendments, or any of them, have been or have not been approved and ratified by the citizens of this commonwealth.

Duty of secretary of the commonwealth.

Opening of returns.

Certificates.

Result to be proclaimed.

SECTION 4. That the sheriff and commissioners of the city and county of Philadelphia and the several counties of this commonwealth, shall do and perform all the duties and acts necessary by them to be done to give effect to and carry out the provisions of this act.

Duties of sheriffs and commissioners.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 527.

## AN ACT

To confirm the title of Jacob B. Masser, to certain real estate in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the deed made by Godfrey Waters, administrator of Leonard Eply, deceased, in pursuance of an order of the orphans' court of Northumberland county, bearing date the twentieth day of April, Anno Domini one thousand eight hundred and fifty-three, to Jacob B. Masser, for a certain lot of ground in the borough of Sunbury, in said county, numbered in the general plan of said borough, number three hundred and eighteen, is hereby declared good and valid to all intents and purposes as if the same had been made by said Leonard Eply, administrator as aforesaid: Provided, That this bill shall not affect the lien of any judgment.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 528.

## AN ACT

To authorize the Trustees of the Menonite Society in Manheim township, Lancaster county, to exchange certain lands.

WHEREAS, Christian B. Landis and Fanny, his wife, by deed of indenture bearing date the twenty-seventh day of November, Anno Domini one thousand eight hundred and forty-seven, recorded in the office for the recording of deeds in and for the county of Lancaster, in record book J, volume seven, page five hundred and eighteen, for the consideration therein mentioned, granted and confirmed unto Benjamin Stouffer, Michael Martin and Isaac Landis, the then trustees, a certain tract, piece or parcel of land, situated in the township of Manheim aforesaid,

containing one acre and eighty-four perches strict measure, in trust to and for the use and behoof of the said religious society of Menonites, as and for a site or place for erecting houses of religious worship and burying ground for the said religious society :

*And whereas*, Michael Martin, Isaac Landis and John Buckwalter, the present trustees, have exchanged forty-five perches of said trust premises with a certain Henry Landis, for thirty-four perches of land, so as to make said trust premises more suitable and convenient for the purposes for which it is intended ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Michael Martin, Isaac Landis and John Buckwalter, trustees of the religious society of Menonites in Manheim township, Lancaster county, are hereby authorized to exchange forty-five perches of the trust lands of said society with Henry Landis, for thirty-four perches of land, and make and receive deeds for the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 529.

## A SUPPLEMENT

To an act to incorporate the Conestoga and Manor Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for collecting and receiving tolls, for fixing the rate of the same, for the regulation of traveling and hauling of burthens upon the said road, and the recovery of fines and penalties, the said company shall have all the powers and authorities which are given and granted in the act, entitled "An Act to enable the governor of this commonwealth to incorporate a company for making an artificial road from the borough of Lancaster to the river Susquehanna, at or near Wright's ferry," approved April twenty-two, one thousand seven hundred and ninety-four, and a supplement thereto, approved February twenty-fifth, one thousand eight hundred and one.

Certain powers  
conferred.

Penalty.

SECTION 2. That any person or persons violating the thirteenth section of the said first named act, shall in addition to the penalty therein prescribed, forfeit and pay to the said Conestoga and Manor turnpike road company, a fine of not less than five nor more than twenty dollars, to be sued for and recovered as debts of like amount are by law recoverable.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 530.

### A FURTHER SUPPLEMENT

To the act incorporating the Allegheny and Manchester Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the board of managers of the Allegheny and Manchester plank road company shall deem it expedient in the construction or repair of said road or any portion or portions thereof, to make said road of stone or gravel, instead of plank, it shall be lawful for them, and they are hereby authorized so to do.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 531.

## SUPPLEMENT

To an act to incorporate the Waverly and North Branch Bridge Association, approved March twenty-sixth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Waverly and North Branch bridge association, be and they are hereby authorized at the expense of the company and not otherwise, to open and construct to from the bridge they may erect under the act to which this is a supplement, such roads as are or may hereafter be laid by authority of the road laws in existence in Athens township, in the county of Bradford.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 532.

## A FURTHER SUPPLEMENT

To an act regulating Auctions in the city of Lancaster and other Towns in this Commonwealth, and the several supplements thereto, approved the seventh April, one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That sales by auction in the boroughs of Pottsville and Tamaqua, in the county of Schuylkill, and in the county of Fayette, shall be authorized and regulated in the same manner as is provided by the act of the seventh April, one thousand eight hundred and thirty-two, entitled "An Act regulating auctions in the city of Lancaster and other towns in this commonwealth," and the several supplements thereto: *Provided however,* That the amount to be paid into the treasury of the commonwealth for a license



to make sales by auction in any of the boroughs in said counties for one year, shall be one hundred dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 533.

## AN ACT

Relative to the Supervisors and Overseers of the Poor in Wilkesbarre and Plymouth townships, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the supervisors of roads and the overseers of the poor of the townships of Wilkesbarre and Plymouth, in the county of Luzerne, shall each be required to give a bond, with surety, in such sum and form as the court of quarter sessions of said county shall determine, and to be approved by and filed in said court, for the faithful performance of their official duties, and for duly applying and accounting for all funds that may come into their hands as the said officers of the township aforesaid; the said security to be given by the said officers hereafter shall be given by them before entering on the performance of their official duties; and any of the said officers refusing or neglecting to comply with the provisions of this section, may be dismissed from his office by said court, and his place be filled by appointment, as in other cases of vacancy in the officer aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 534.

## AN ACT

To authorize the Sale of a certain School House in Leesport, Berks county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Seth Zimmerman, John Keim and Henry Rapp, trustees of the school house known as Leesport school house, situate a short distance north of Leesport, in Berks county, be and they, or any two of them, or their successors in office, are hereby authorized to sell at public sale, and convey to the highest bidder by their deed in fee simple, clear of all incumbrances, after having first given notice of such sale by at least three written or printed notices, put up in the most public places at least ten days before the time of sale, and also publishing the same by at least two insertions in one German and one English newspaper in the city of Reading, all that the before mentioned Leesport school house and the lot whereupon it is erected, adjoining lands of the Leesport iron manufacturing company, the Centre turnpike, and a county road leading to Gernant's church, together with all the furniture and appurtenances belonging to said school house. Sale authorized.

SECTION 2. That the money arising from the sale of the property thus described shall be disposed of as follows: The necessary expenses of the sale and transfer of said property, and the necessary publication shall first be paid, and the balance shall be devoted to the payment to those that contributed to the erection of said school house, of which the lists of collections for said building on record shall be evidence; and further, to the payment of the ground to the donor thereof, at the value when the donation was made. How proceeds to be disposed of.

SECTION 3. The trustees shall proceed to the discharge of the duties imposed by this law within six months after the passage of this act, and if a sale is effected shall make distribution of the proceeds of said sale within six months from the time of sale; and if any overplus remain after the claims and expenses of sale shall have been paid, the balance shall be paid to the school directors of Ontalaunce township, for educational purposes. Duty of trustees.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 535.

## AN ACT

To establish a High School in Hollidaysburg, Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Hollidaysburg school district, may and they are hereby authorized to establish a high school, subject to the provisions of the general school law, and that they may and are hereby authorized to admit into said high school, scholars not residents of said school district, on such terms and conditions as said board may think proper, not inconsistent with the rights and interest of resident pupils of the common schools.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 536.

## AN ACT

To empower the School Directors of Chambersburg School District, to Borrow Money to build a new School House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Chambersburg school district, in the county of Franklin, be and are hereby empowered to borrow any sum or sums of money not exceeding ten thousand dollars, at any rate of interest not exceeding six per cent., for the purpose of erecting a new school house in the borough of Chambersburg, and secure the same by bond or mortgage on the real estate or any part thereof belonging to said board.

May borrow  
money.

SECTION 2. That the money borrowed for the purpose of erect- Exemption.  
ing said school house, be exempt from taxation for a term not  
exceeding ten years.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thou-  
sand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 537.

## A N A C T

To annul the Marriage Contract of Adelaide L. Hoffman and Daniel Hoff-  
man.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assembly  
met, and it is hereby enacted by the authority of the same,* That  
the marriage contract entered into between Adelaide L. Hoff-  
man, lately Adelaide L. Spring, of the city of Philadelphia, and  
Daniel Hoffman, be and the same is hereby annulled and made  
void, and the parties released and discharged from all the duties  
and obligations arising therefrom, as fully, effectually and abso-  
lutely as if they had never been joined in marriage.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thou-  
sand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 538.

## AN ACT

To authorize the Canal Commissioners to make a Certain Conveyance.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized and required, by good and sufficient deed of conveyance and assurance, to convey, assign, transfer and set over to and for the use of Thomas W. Hurd, of the borough of Gaysport, Blair county, his heirs and assigns, all the right, title, interest, claim and demand of the commonwealth, in and to all and singular that certain piece and parcel of land, situate in said borough, fronting twenty-five feet on Pennsylvania street, and extending back from the same fifty-nine feet, adjoining lot of said Hurd on the west, and lot of the commonwealth on the east, which by articles of agreement bearing date the fourteenth day of July, Anno Domini one thousand eight hundred and fifty-five, entered into between Thomas G. Pomeroy, superintendent of the new road to avoid the inclined plane of the Allegheny Portage railroad, and the said Thomas W. Hurd, was agreed to be exchanged for a certain other piece and parcel of ground belonging to the said Thomas W. Hurd.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 539.

## AN ACT

In relation to the Chambersburg, Greencastle and Hagerstown Railroad, formerly the Franklin Railroad, in the county of Franklin.

Preamble.

WHEREAS, In and by an act of Assembly of this commonwealth, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "A supplement to an act incorporating the Franklin railroad company," approved March



twelve, Anno Domini one thousand eight hundred and thirty-two, all and singular the rights and privileges granted to the said Franklin railroad company, now the Chambersburg, Greencastle and Hagerstown railroad company, by their act of incorporation of the twelfth of March, Anno Domini one thousand eight hundred and thirty-two aforesaid, or by any other act of assembly of this commonwealth, supplementary thereto or otherwise. for the construction, repair and re-laying of said railroad were resumed by the commonwealth, in pursuance of the power reserved in the original charter of the said Franklin railroad company :

*And whereas*, It was provided in the act of ninth of April, Anno Domini one thousand eight hundred and fifty-six, that if the said Franklin railroad company, their successors or assigns, in pursuance of the acts of assembly in such case made and provided heretofore, in relation to the construction and repair of said railroad from Chambersburg to the Maryland line, shall make or cause the said Franklin railroad to be re-laid and repaired in a manner sufficient for the public use, in the running on the same of freight and passenger cars with steam power, from Chambersburg to the borough of Greencastle, by the first day of December next, (one thousand eight hundred and fifty-six,) and from said borough of Greencastle to the Maryland state line, on or before the first day of April, Anno Domini one thousand eight hundred and fifty-seven, then the provisions of this act shall be null and void, otherwise to remain in full force and virtue :

*And whereas*, The period fixed by the act of assembly of the ninth of April, Anno Domini one thousand eight hundred and fifty-six aforesaid, for re-laying said railroad by the said Chambersburg, Greencastle and Hagerstown railroad company, their successors and assigns, has passed, and the said railroad nor any part thereof hath not been made or re-laid according to the requirements of said act of assembly, and the same and all the rights, privileges and franchises thereof have become fully and absolutely forfeited to the commonwealth ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That John Armstrong, Daniel O. Gehr and James Nill, of the county of Franklin, be and they are hereby appointed commissioners, after the expiration of sixty days from the passage of this act, to sell and convey to the purchaser or purchasers the railroad aforesaid, from its intersection with the Cumberland Valley railroad at Chambersburg, to the Maryland state line, together with all the rights, liberties, privileges and franchises belonging to the same, so that the purchaser or purchasers of said railroad shall have, enjoy and possess all the rights, liberties, privileges and franchises that said railroad company had and possessed, under their act of incorporation or under any supplement thereto ; the said commissioners before undertaking the duties of their trust, shall give bond and security to the commonwealth in such sum as the court of common pleas of Franklin county in session, or two judges thereof in vacation, shall require for the faithful discharge of the duties enjoined upon them ; before making sale

Commissioners.  
their powers and  
duties.

Bond

Sale to be advertised.

of the said road, the said commissioners shall advertise the same for four weeks, in at least two newspapers published in Franklin county, one at Harrisburg and two daily papers at Philadelphia; and the said commissioners or a majority of them, shall have full power and authority to sell and convey said railroad and the privileges and franchises thereof, to the highest and best bidder, and on such terms and conditions as they shall determine.

Vacancies.

SECTION 2. That in case any of said commissioners shall die, resign or neglect and refuse to perform the duties assigned them, the court of common pleas of the county of Franklin shall have full power and authority to fill any vacancy that may be occasioned thereby; and when said commissioners or a majority of them shall sell said railroad, they shall take from the purchaser or purchasers, a bond to the commonwealth in the sum of sixty thousand dollars, with good and sufficient sureties, conditioned that the said purchaser or purchasers will re-lay the said railroad from its intersection with the Cumberland Valley railroad at Chambersburg, to the Maryland state line, within seventeen months after the date of the conveyance to them, with at least one track of iron T rail, and with the necessary sidings, switches, et cetera, so that freight and passengers can be transported over the same with steam power; and in case any purchaser or purchasers as aforesaid, shall fail to comply with the terms of sale, the said commissioners may from time to time in the same manner offer for sale the said road, until the same shall be completed as aforesaid.

Bond from purchaser

May re-sell road.

Who may purchase.

SECTION 3. That the Cumberland Valley railroad company, or any other railroad company, individual or association of individuals, be and they are hereby authorized to purchase the said road; and the said purchaser or purchasers having received a deed from the said commissioners, which shall have been approved and acknowledged before the court of common pleas aforesaid, and recorded in the recorder's office of Franklin county, shall be invested with all the rights, powers and privileges heretofore conferred, and be subject to all the liabilities, duties and restrictions heretofore enjoined upon the Franklin railroad company and the Chambersburg, Greencastle and Hagerstown railroad company by their acts of incorporation, and the several supplements thereto; and the original charter, and all the supplements thereto, of the said Cumberland Valley railroad company, so far as the same may be applicable thereto, shall in that case be extended over and made to embrace the said Franklin and the said Chambersburg, Greencastle and Hagerstown railroad, with the same powers and with the same effect as if that part of the said road from Chambersburg, by the way of Greencastle, to the Maryland state line, had been embraced within the corporate powers originally granted to the said Cumberland Valley railroad company.

Effect of purchase and deed.

Road to be repaired and run.

SECTION 4. That after the completion of the said railroad to the Maryland line, as contemplated by this act, any neglect to keep the same in good running order for six consecutive months, or any failure for the same period to run the said road regularly with steam power at least once each way daily (Sundays excepted) for the transportation of freight and passengers, shall

forfeit all the rights, privileges and franchises granted by this act.

SECTION 5. That the purchasers of the said railroad shall have full power and authority, at any time within five years after the approval of this act, to extend their road from any point on the same south of the borough of Greencastle, by a new route to any point on the Baltimore and Ohio railroad east of the town of Hancock, in the State of Maryland; and for the purpose of completing this extension, the said purchasers, their successors or assigns, shall have power to increase the capital stock of said company two million five hundred thousand dollars, and to issue bonds for the whole or any part thereof in sums of not less than five hundred dollars, and at not more than ten per cent. interest, and to mortgage the said road, or any part thereof, and all its privileges and franchises, to secure the payment of the same.

Road may be extended.

SECTION 6. That all moneys for which said railroad and its rights, privileges and franchises may be sold, shall be settled for by such account or accounts as may be necessary in the court of common pleas of the county of Franklin, in the manner of trustees' accounts, and after deducting therefrom the costs, charges and expenses of publishing and selling the same, and such fair and reasonable compensation as may be allowed said commissioners for their services by said court, the balance shall be immediately paid into the state treasury for the use of the commonwealth.

How proceeds to be disposed of if sold by the commissioners.

SECTION 7. That the said commissioners shall not offer the said railroad at public sale as aforesaid, until after the expiration of the said sixty days from the passage of this act; and in the meantime it shall be lawful for the said Cumberland Valley railroad company to purchase at private sale all the right, title and interest of and from the parties now holding or claiming to hold the said Franklin and the said Chambersburg, Greencastle and Hagerstown railroad and its franchises, for such price as may be agreed upon between them; and the said parties so holding or claiming to hold the said railroad are for said purpose authorized to sell the same, and make all necessary deeds and conveyances thereof in such manner as may be satisfactory to said purchaser; and thereupon the said Cumberland Valley railroad company, upon giving bond as aforesaid, shall be vested with all the title, franchises and privileges, and subject to all conditions and limitations in relation thereto, as if they had purchased said railroad in accordance with the foregoing provisions by this act, in which case the parties now holding or claiming to hold the title to said road as aforesaid, shall be entitled to receive the purchase money therefor.

Road not to be offered for sixty days.

And in the meantime the C. V. R. Co. may buy from former owners, who may receive the purchase money.

SECTION 8. That such purchase by the Cumberland Valley railroad company, at public or private sale as aforesaid, shall not take effect unless authorized by a majority of the stockholders of said company, represented in person or by proxy, at a meeting called for that purpose by public notice in at least two newspapers published in this state, at least twenty days prior to said meeting; and the approval of said purchase by the stockholders aforesaid, shall be made and entered upon the minutes of the said company before the expiration of the said sixty days from the passage of this act.

Sale to C. V. R. Co. to be authorized by the stockholders of said company.

C. V. R. R. Co.  
may sell stock.

SECTION 9. That in case the Cumberland Valley railroad company shall become the purchasers of the said Franklin, Chambersburg, Greencastle and Hagerstown railroad, under any of the provisions of this act, they shall have power to dispose of any capital stock which belongs to the said company by purchase or under existing laws of this commonwealth, upon such terms as they may deem expedient and necessary to enable them to raise the funds with which to perform the work of relaying and equipping the said Franklin, Chambersburg, Greencastle and Hagerstown railroad; and upon the completion of the said railroad, at all future elections by the stockholders of the said Cumberland Valley railroad company, each share of stock shall entitle the holder to one vote.

Votes.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 540.

## A SUPPLEMENT

To an act to incorporate the Warriors Mark Water Company, in the village of Warriors Mark, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said water company in their corporate capacity, through their board of managers, are hereby authorized and empowered, for the purpose of carrying into full effect the objects of the act to which this is a supplement, to borrow any sum of money not exceeding one thousand dollars, in the name and upon the faith, credit and responsibility of the said Warriors Mark water company, and to pledge their goods and chattels, property, franchises and effects by mortgage or otherwise, for the re-payment of the same, or to issue certificates of loan for the payment of the same, bearing an interest of six per centum, payable semi-annually, and the principal to be paid agreeably to the terms of the contract.

May borrow  
money.

And give mort-  
gage.

May levy a tax  
to pay debt.

SECTION 2. That for the purpose of paying said loan and of liquidating the present indebtedness of the said company, the board of managers of said company shall have power to impose and assess such tax or taxes, from time to time, upon all lots and properties in said village which are supplied with water from the



several lines of water pipe now or that may hereafter be laid down by said water company through said village, as to them may seem necessary: *And provided*, That not more than two hundred dollars shall be assessed in any one year in the aggregate, and that such assessment shall be on the last county valuation.

SECTION 3. That it shall be lawful for said company, through its treasurer, to sue for and recover from the owners of all lots in said village of Warriors Mark, all such assessments as shall have been laid as aforesaid, by action of debt, to be brought before any justice of the peace of said county, in the same manner as debts not exceeding one hundred dollars are or shall be recoverable. Collection of tax.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 541.

## A N A C T

To authorize the Executors of Daniel Stine, deceased, to convey certain  
Real Estate.

WHEREAS, Daniel Stine, late of Jackson township, Lebanon county, now deceased, was in his lifetime in partnership with Doctor George N. Eckert, and as such co-partners, they held as tenants in common, certain real estate in the county of Lancaster, part of which consisting of a certain tract of land and iron works, known as Donegal furnace, was held in the name of the said partnership, and part consisting of the equal undivided half and the equal undivided eighth part of certain ore lands herein-after mentioned, was held in the name of the said George N. Eckert, but for the benefit of the said partnership: Preamble

*And whereas*, The said Daniel Stine, by his will duly proved and entered in the register's office at Lebanon, did order and direct that his interest in the said Donegal furnace and ore lands should be continued and carried on by A. G. Stine, one of his executors therein named, until such time as his son John D. Stine should or would have arrived at the age of twenty-one years, when the said executorship should devolve upon the said John D. Stine and Malinda B. Stine, who were further empowered and directed to sell at public sale, within six months thereafter, all



the said testator's interest in the said Donegal furnace and ore lands above mentioned :

*And whereas*, After the death of the said Daniel Stine, by virtue of certain actions of partition in the court of common pleas of Lancaster county, instituted by the said George N. Eckert, to August term, one thousand eight hundred and fifty-four, number one hundred and seventy-five, and November term, one thousand eight hundred and fifty-four, number twenty-five, that part of the aforesaid real estate known as Donegal furnace, and held in the name of the firm of the said Eckert and Stine, has been accepted by and decreed to the said George N. Eckert at the valuation and appraisement thereof made by the inquest :

*And whereas*, In order further to effect the partition so in part made, and for the purpose of making a full and complete division and distribution of the property and assets of the said partnership, the said George N. Eckert and Emily T., his wife, by their deed of June fourth, one thousand eight hundred and fifty-five, recorded in the recorder's office at Lancaster, in record book O, volume eight, at page sixty-three, granted and conveyed to A. G. Stine and Daniel Mosser, executors of the will of the said Daniel Stine, deceased, the equal undivided fourth part of two certain tracts of land in Lancaster county, adjoining lands of the Chesnut Hill iron ore company, and containing together about two acres, and also the equal undivided sixteenth part of a certain other tract in said county, containing one hundred and forty-four and one-quarter acres, known as the old Greider farm, the said fourth and sixteenth parts being the one-half of the interest of the said firm of Eckert and Stine in the same :

*And whereas*, The said A. G. Stine and Daniel Mosser, executors as aforesaid, did, on the twentieth day of December, one thousand eight hundred and fifty-six, sell at public sale the three last above mentioned portions of property to the Chesnut Hill iron ore company :

*And whereas*, The intentions of the said Daniel Stine, deceased, have been frustrated and rendered inoperative by reason of the proceedings in partition hereinbefore referred to, and it is greatly for the advantage of the heirs of the said Daniel Stine, deceased, that the portions of property last above mentioned should be sold forthwith :

*And whereas*, The aforesaid John D. Stine not being of full age, doubts have been raised as to the power vested in the said executors under the will so to sell the same during his minority ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said sale of the premises aforesaid to the said Chesnut Hill iron ore company, be and the same is hereby fully confirmed and made valid ; and the deed or deeds to be made and executed in pursuance thereof to the said company, or to any other person or persons, by the said A. G. Stine and Daniel Mosser, executors as aforesaid, or the survivor or successor or successors of them, shall invest the said purchasers with a full and complete title to the said premises, as effectually to all intents and purposes as if

the said Daniel Stine by his will had expressly authorized and directed his said executors so to sell and convey the same.

SECTION 2. That the said A. G. Stine and Daniel Mosser, ex-  
 ecutors as aforesaid, or the survivor or successor or successors  
 of them, be and they are hereby further authorized and empow- Further sales  
authorized.  
 ered to sell, either by public or private sale, and at such time or  
 times and on such terms as they may deem most advantageous  
 for the heirs of the said Daniel Stine, deceased, any lease or  
 leases of ore lands or other property belonging to the said late  
 firm of Eckert and Stine, and now undisposed of, and to make  
 and execute all necessary transfers and title papers therefor, in  
 like manner and to the same effect as is provided for in the first  
 section of this act: *Provided*, That the said sale or sales referred  
 to in this section shall be first approved by the orphans' court of  
 said county.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thou-  
 sand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 542.

## A N A C T

To incorporate the Doylestown Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representa-  
 tives of the Commonwealth of Pennsylvania in General Assembly  
 met, and it is hereby enacted by the authority of the same,* That  
 Thomas S. Tasker, S. J. Paxon, George Lear, William Helme, Commissioners  
 Wistar Morris, Charles Wheeler, junior, be and they are hereby  
 appointed commissioners, and they or a majority of them are  
 hereby authorized to carry into effect the establishment of a gas  
 company, to be located in the borough of Doylestown, in Bucks  
 county, to be called the Doylestown gas company, with a capital Style  
 of twenty thousand dollars to be divided into shares of twenty-  
 five dollars each, to be organized, managed and governed as pro-  
 vided by the act regulating gas and water companies, approved Subject to.  
 the eleventh day of March, one thousand eight hundred and  
 fifty-seven, and subject to all the restrictions and provisions to-  
 gether with the immunities contained in said act.

SECTION 2. That the said company hereby created is expressly Powers.  
 authorized and empowered to purchase the gas works whether  
 finished or unfinished, now being erected in the said borough of

Doylestown, with all the property, pipes and fixtures, materials and appurtenances whatsoever thereunto belonging, whether the same be in or upon or under the surface of any street, lane or highway.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 543.

## AN ACT

To incorporate the Academy of the Assumption, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alfred C. Gibson, Edward Friel, Joel Zane, Augustus Merino and C. J. H. Carter and their successors, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Academy of the Assumption, and by that name and title shall have perpetual succession, shall be able to sue and be sued, to plead and be impleaded, and shall be able and capable in law and in equity to receive, take and hold for the use of the said corporation, lands, tenements, hereditaments and estate, real and personal whatsoever, and the same to grant, bargain, sell, transfer, assign, mortgage and convey in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever, and to make, have and use a common seal, under and by which all deeds, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same seal to change and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

SECTION 2. The object and design of the said corporation shall be the establishment of an academy within the limits of the city of Philadelphia, in which are to be taught the elementary branches of education, together with the sciences and modern and ancient languages, in the manner that may be determined from time to time by the proper officers of the said corporation, and as the same may be set forth in their by-laws and regulations :

Corporators.

Style.

Privileges.

Objects.

*Provided*, That such by-laws and regulations are not inconsistent with this charter or with the constitution of the United States or the constitution and laws of this commonwealth.

SECTION 3. The said corporation shall have power to adopt a Constitution, &c. constitution and make by-laws and the same to amend, alter or repeal at pleasure.

SECTION 4. No misnomer of the said corporation shall defeat Misnomer. any intended gift, grant, conveyance, devise or bequest thereto, nor any act or deed intended to be made or done thereby, nor shall the clear annual value of the estate of said corporation exceed the sum of ten thousand dollars.

SECTION 5. That the trustees of said academy shall have power Degrees. to confer such literary degrees and academic honors and diplomas as are usually granted by colleges, upon such pupils as shall have completed in a satisfactory manner the prescribed course of study.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 544.

## AN ACT

To confirm the Title of Albert G. Rowland to certain Real Estate in the Twenty-third ward of the city of Philadelphia.

WHEREAS, Thomas W. Duffield, late of the county of Philadelphia, deceased, by his will dated the fifth day of July, Anno Domini one thousand eight hundred and forty-five, ordered and enjoined on his executors that his real estate, known as the Frankford mills property, should be no otherwise disposed of than by renting and letting the several parts thereof from time to time during the term of ten years after his decease, with a proviso in the following words, namely: "Nevertheless, if an offer should be made for the same, intervening the aforesaid limit of ten years, of such an amount as will indemnify the sale thereof, and my children agree thereto, then let it be sold accordingly, all together or separate, as will be most suitable," as by reference to the said will and the codicils thereto, duly registered and proved at Philadelphia, upon the sixteenth day of October, one thousand eight hundred and forty-six, will appear:

*And whereas*, The children of the said Thomas W. Duffield at the time of his death were William H. Duffield, Thomas W. Duffield and Edwin F. Duffield, who were also the executors named in their father's will, and Washington L. Duffield, Maria Louisa Duffield, Henry G. Duffield, and Julia, intermarried with Samuel Comly, junior; and the testator had also four grandchildren, the children of a deceased daughter Hannah, intermarried with Henry Greeves; and the said Julia Comly, one of the said children, afterwards died, some time in the year one thousand eight hundred and forty-seven, leaving one minor child, H. C. Comly; and the said William H. Duffield, another of the said children, and one of the said executors, died some time in the year one thousand eight , unmarried and without issue; and Thomas W. Duffield, Edwin F. Duffield, Washington L. Duffield, Maria Louisa Duffield and Henry G. Duffield, the surviving children of the said Thomas W. Duffield, deceased, by writing, dated the first day of March, one thousand eight hundred and fifty-one, filed among the records of the orphans' court of Philadelphia county, requested the surviving executors of the said Thomas W. Duffield, deceased, that such portion of the estate aforesaid as could then be made sale of, should be immediately sold at the option of the executors, in accordance with the will of the testator; and the said executors did afterwards sell and dispose of the premises hereinafter mentioned, part of the said Frankford mills property, to Albert G. Rowland, for the sum of thirty thousand dollars; which sale, upon the second day of July, one thousand eight hundred and fifty-two, upon the presentation of the petition of the said executors setting forth the facts above mentioned, and that the said sale was to the interest of the estate, and upon the guardian of the minor child of the said Julia Comly joining in the prayer of the same, was confirmed or intended so to be by the orphans' court of Philadelphia county; and the said property afterwards, upon the twenty-first day of July, one thousand eight hundred and fifty-two, was conveyed by the said surviving executors to the said Albert G. Rowland, in fee:

*And whereas*, Doubts have arisen whether the said power of sale was duly executed, by reason of two of the children of the said Thomas W. Duffield, the testator, who were living at the time of his decease, but who had afterwards died before the said sale, not joining in the said consent and agreement, and because the said consent was not given at the time of the said sale, and did not refer specifically to the property sold, and because the said sale was not made under the direction of or duly confirmed by the said orphans' court, and it is desirable the said doubts should be removed and the title of the said Albert G. Rowland confirmed:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title of Albert G. Rowland to all those certain messuages or tenements and water grist mill, and three pieces or parcels of land and water thereto belonging, situate partly in the borough of Frankford and partly in the township of the Northern Liberties, in the county of Philadelphia aforesaid, one of them, whereon the



water grist mill, a small stone tenement and counting house is erected, situate in the borough of Frankford aforesaid, beginning at a corner on the south-easterly side of the Frankford and Bristol turnpike road or Main street of Frankford, at the northerly corner of the counting house ; thence extending by other ground of the heirs of the said Thomas W. Duffield, deceased, south fifty-seven degrees fifteen minutes east one hundred and forty-four feet and eighty-five hundredths of a foot to a corner ; and thence by the same, south twenty nine degrees and a half west one hundred and forty feet and two-tenths to a corner on the north-easterly side of Mill street ; thence along the side of said Mill street north sixty-three degrees thirty-five minutes west one hundred and sixty-one feet and seven-tenths to a stake set for a corner ; thence crossing the said Mill street and by other land of the heirs of the said Thomas W. Duffield, deceased, south forty degrees thirty-five minutes west two hundred and twenty-six feet to a corner stake in Frankford creek ; thence north fifty-four degrees forty minutes west ninety-one feet to a stake for a corner ; thence along a wharf north thirty-three degrees and a half west one hundred and thirty-one feet to the abutment of the bridge over Frankford creek ; thence along the wall of the said bridge north seventy-five degrees ten minutes east fifty-eight feet to an angle in said wall or near thereto ; thence along the easterly side of the said turnpike road north eighty-one degrees twenty-five minutes east crossing the end of the said Mill street one hundred and seventy-three feet and a half to a corner stake ; thence still by the south-easterly side of said turnpike road north sixty-seven degrees and three-quarters east sixty-four feet and eighty-five hundredths to a stake ; thence north sixty degrees and three-quarters east sixty-five feet and forty-five hundredths to a stake near the southerly side of a bridge over the race, and thence north forty-six degrees twenty minutes east fifty-eight feet to the place of beginning ; one other of them, (including a portion of the head race,) situate in the borough of Frankford, in the county of Philadelphia aforesaid, beginning at a corner on the northerly side of Tacony street, at the distance of thirty feet westerly from the east side of Worrell street ; thence by the said Tacony street north eighty-eight degrees and three-quarters west fifty-six feet to a corner on the easterly side of the Main street or Frankford turnpike road ; thence along the said road north two degrees and a half west one hundred and fifty-two feet and seven-tenths ; thence north eight degrees and five minutes west one hundred and forty-seven feet and eight-tenths and north twenty-nine degrees and a quarter east forty-four feet and seven-tenths to a corner of the race bridge wall ; thence south ten degrees and three-quarters east one hundred and forty-seven feet and a half, and thence south ten degrees east one hundred and ninety-seven feet and six-tenths to the place of beginning ; and the other of the said parcels of land situate partly in the borough of Frankford aforesaid, and partly in the township of the Northern Liberties, beginning at a corner on the north-westerly side of the Main street of Frankford and at the north-easterly side of the mill head race ; thence extending along the north-easterly side of the said race north thirty-five degrees and a quarter west eighteen perches or thereabouts

to the mill dam ; thence north twelve degrees and three-quarters west four perches and nine-tenths of a perch to a corner of land formerly of John Deal ; thence up the several courses and distances of the north-easterly side of the said dam and creek to a stake for a corner ; thence crossing Frankford creek and by land formerly of Joseph J. Miller south thirty-three degrees forty minutes west twenty perches and a half to a stake a corner of land late of John Head, deceased, now or late of Thomas Stewardson ; thence by the said land south sixty-two degrees east forty-eight perches and six-tenths of a perch to a fixed stone nearly opposite the grist mill dam ; thence south forty degrees and a quarter east sixteen perches and three-tenths of a perch to a corner, and north fifty-seven degrees east four perches to Frankford creek ; thence down the said creek seven perches and two-tenths to a corner, (formerly a sassafras tree;) thence crossing the said creek north fifty-nine degrees and a quarter east four perches to the borough side of the said creek, and thence north-easterly one hundred and three feet or thereabouts to the place of beginning, which tract of land and premises were conveyed to the said Albert G. Rowland by Thomas W. Duffield and Edwin F. Duffield, surviving executors of the last will of Thomas W. Duffield, deceased, with the consent and agreement of all the testator's children then living, by indenture made the twenty-first day of July, one thousand eight hundred and fifty-two, recorded at Philadelphia, in deed book T H, number thirty-three, page two hundred and forty-six, et cetera, in which said indenture it is recited that the said executors have filed in the orphans' court of Philadelphia county, the written consent and approbation to the sale of the said premises of all the children then living of the said Thomas W. Duffield, deceased, to wit : Thomas W. Duffield, Edwin F. Duffield, Washington L. Duffield, Maria Louisa Duffield and Henry G. Duffield, and also of Henry G. Duffield, guardian duly appointed of the person and estate of Henry Clay Comly, minor child of Julia Comly, deceased, another of the said children, be and the same is hereby declared to be as valid in all respects as if all the children of Thomas W. Duffield, deceased, who were living at the time of his death, had agreed specifically to the said sale under the terms of the proviso contained in that part of the will of the said testator, in which he directs the disposal of his real estate designated as the Frankford mills property : *Provided*, That nothing herein contained shall in any way affect the rights of any of the parties claiming or who may claim a share of the estate of the said Thomas W. Duffield, deceased, under the provisions of his said will, except so far as the title of the said Albert G. Rowland to the said tract of land above mentioned is concerned.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No: 545.

## A FURTHER SUPPLEMENT

To the act Consolidating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the eighteenth section of an act of assembly, entitled "A further supplement to the act consolidating the city of Philadelphia," approved May thirteenth, one thousand eight hundred and fifty-six, as provides that the commissioners for the survey of they plan of Blockley, appointed under an act of assembly, entitled "An Act to change the name of the borough of West Philadelphia to the district of West Philadelphia, and relative to the district of Kensington and Richmond, in the county of Philadelphia," approved April third, one thousand eight hundred and fifty-one, shall cause the same to be completed and approved by the court in the manner provided by law before the said township was embraced in the city of Philadelphia, be and the same is hereby repealed, and the duties of said commissioners shall forthwith cease and determine: *Provided,* That nothing herein contained shall affect any contract made for the survey of any portion thereof prior to the first day of January, Anno Domini one thousand eight hundred and fifty-seven, but the said contract shall be carried out under the supervision and subject to the control of the board of survey of said city, and paid for in the manner provided for general surveys of said city.

Act relative to survey of Blockley repealed.

Duties of commissioners to cease.

Proviso.

Duties of board of survey.

SECTION 2. That all laws or parts of laws now in force requiring the receiver of taxes in the city of Philadelphia to publish the names of all delinquent tax payers, shall be so construed as to apply to the taxes upon real estate in the said city of Philadelphia, and upon personal property only when the assessed valuation of the latter shall amount to or exceed one hundred dollars.

Publication of names of delinquent tax payers regulated.

SECTION 3. That the investments which now or hereafter may form part of the sinking fund of the said city, shall not be sold except for money, nor exchanged except for the loan of the said city; and in case of such sale or exchange, the proceeds thereof shall be applied exclusively to the sinking fund of said city or to the extinguishment of its funded debt.

Sinking fund of city.

SECTION 4. That the councils of said city, whenever they shall select any square or other area of ground to be laid out and maintained forever as an open public place or park for the health and enjoyment of the people, shall have the power if they cannot agree with the owner or owners thereof as to price, to cause a petition to be filed in the court of quarter sessions of the city and county of Philadelphia, on behalf of said city, setting forth by proper metes and bounds the ground so selected, and that by ordinance the said councils have appropriated the same for said purpose; whereupon the said court shall appoint a jury to assess the damages in the manner now provided by law, and the pro-

Selection of public squares or parks regulated.

Viewers to appraise damages.

ceedings thereupon shall be the same and with the like effect as upon the assessment of damages for the opening of streets in said city.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No 546.

## SUPPLEMENT

To an act to incorporate the Wyoming Coal and Iron Company, passed the twenty-first day of March, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said company shall have the right to change their location, as named in the fourth section of the act of which this is a supplement, to any other three townships in Luzerne county, and that the time for payment of the bonus to the state be extended for two years from the time as provided in the tenth section of said act.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 547.

## A N A C T

To incorporate the Hilldale Cemetery Company, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Josiah King, Isaac H. Pennock, William C. M'Carthy and John Hutchison, of Allegheny county, and any persons who may become their associates, and their successors, be and are hereby declared and created to be a body corporate, by the name, style and title of the Hilldale cemetery company, and by that name shall have perpetual succession, and shall be capable in law to have and use a common seal, and from time to time to alter or change the same, to hold, purchase and dispose of property, real or personal, sue and be sued, plead and be impleaded in any court of law or elsewhere, to ordain, pass and put in execution all such laws, rules and regulations not contrary to the constitution and laws of the United States or of this commonwealth, as shall be necessary or convenient for carrying into effect the objects of the company, and generally to do all such other matters and things as are incident to a corporation.

Corporators.

Style

Privileges.

SECTION 2. That the government of the said company and the management and disposition of its affairs is hereby vested in a board of trustees, who shall be elected at such times and in such manner as the said company shall by its rules and regulations direct; and such officers, agents and servants shall be appointed by the trustees, as said company may by its laws require.

Trustees

SECTION 3. That it shall be the duty of said corporators to establish in Reserve or Ross township, not exceeding two miles from the limits of Allegheny city, a rural cemetery, and for that purpose not less than fifteen nor more than one hundred acres of land shall and may be provided and set apart and enclosed; and it shall not be lawful hereafter to lay out, open or extend any road or highway in, through or upon any such land so set apart or held for cemetery purposes without the consent of this corporation, and while such land shall be so reserved and held for purposes of sepulture it shall not be subject to taxation.

Location of cemetery.

SECTION 4. That the said corporation shall have power to receive all and singular such gifts, bequests and donations of property as may be made, and to use the same for the benefit of the corporation, to lay out, divide, sub-divide and arrange said ground into lots, plots, avenues, lanes, sites for offices, dwellings for its necessary officers or servants, chapel for religious obsequies, dead house, vaults, et cetera, as shall be deemed needful to render the said cemetery convenient and attractive, and to sell and convey, by deed or otherwise, such lots, plots, et cetera, for purposes of sepulture, to individuals, societies or congregations, under and subject to such conditions, rules or regulations for the government of lot-holders, visitors, burying the dead, ornamenting or

Powers



improving the lots, and so forth, as the said company by its laws from time to time direct and establish: *Provided*, That the lots granted by said corporation for burial purposes shall not be used for any other purpose, and that they shall forever be free and exempt from seizure and sale under or by virtue of any execution, attachment or otherwise against any grantee or grantees of said corporation.

Superintendent.

SECTION 5. That it shall be the duty of said corporation when one thousand burial lots in said cemetery shall have been sold, and at all times thereafter, to keep not less than one suitable person residing on or near the grounds of said cemetery, whose duty it shall be to labor and work about the safety and preservation of the buildings, fences, avenues and lanes of said cemetery, and for this purpose shall invest a sum in ground rents or mortgages, well secured on real estate, or in the funded debt of the city of Allegheny or Pittsburg, or the state of Pennsylvania, which, with any current perquisites arising from digging graves or otherwise, shall amount to not less than five hundred dollars annually, to be applied as aforesaid.

Penalties.

SECTION 6. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument or gravestone, or other structure placed in the aforesaid cemetery, or any fence, railing or other work for the protection or ornament of said cemetery, or any dwelling house, chapel, office or other building erected on the grounds of said corporation for the use or convenience of the same, or any lot within the cemetery aforesaid, or shall wilfully destroy, cut, break or injure any tree, shrub or plant within the limits of said cemetery, shall be deemed guilty of misdemeanor, and upon conviction thereof before any magistrate or court of competent jurisdiction, be punished by a fine of not less than five dollars or more than five hundred dollars, and by imprisonment in the county jail of not less than one nor more than thirty days, according to the nature and aggravation of the offence; and every such offender shall also be liable, in an action of trespass in the name of said corporation, to pay all such damages as may have been occasioned by his unlawful act or acts; which money, when recovered, shall be applied, under the direction of the trustees of said corporation, to the restoration or reparation of the property injured or destroyed.

Conveyance of lots.

SECTION 7. That the original conveyance of lots from the corporation to individuals may be evidenced either by deed or by a certificate, signed by the president and countersigned by the secretary or treasurer of the board of trustees, as by the rules and regulations or by-laws shall be required; and such deed or certificate, specifying that such a person is the owner of such a lot or lots, shall vest in the proprietor, his heirs and assigns, a right in fee simple to such lot or lots, exempt from execution, attachment, taxation or any other claim, lien or process, for the sole purpose of interment under the regulations of the corporation; and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded; and certified copies thereof shall be evidence, as in other cases; and said lots or such portions thereof as may be prescribed by the trustees, and with their assent may be conveyed by deed in due form of law for the sole purpose of interment as aforesaid.

Exemption.

SECTION 8. That the members of this corporation, or the lot owners, grantees of this corporation, shall not thereby be prevented from testifying in any case at law to which said corporation shall be a party.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 548.

## AN ACT

To compensate Robert Moore for Damages sustained by Fire.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Robert Moore, of Sadsbury township, Lancaster county, the sum of five hundred and seventy-five dollars, out of any money in the treasury not otherwise appropriated, in full of damages for the burning of a two-story dwelling house, on the seventeenth day of March, one thousand eight hundred and fifty-four, which was set on fire by sparks from the state locomotive on the Columbia railroad, the aforesaid sum being the amount certified by the appraisers of damages: *Provided,* That the said Robert Moore shall release the commonwealth from any and all damages claimed by him by reason of the railroad running through his land, or resulting from a change in the grade thereof.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 549.

## AN ACT

To incorporate the Jersey Shore Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* J. J. Sanderson, J. H. Humes, James Gamble, John Hilliar, J. B. Carothers, James Williamson, M. C. Pfoutz, S. G. Allen, Mark Schlonecker, J. B. M'Micken, William E. Dodge, Thomas Galaher, A. H. M'Henry, Robert Crane, M. A. Gamble, John A. Gamble, John Cook, John Sebring, C. Carter, James Wilson, E. B. Campbell, E. D. Trump, James Ferguson and John S. Tomb are hereby appointed and commissioned, and they or a majority of them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Jersey Shore Bank, to be located in Jersey Shore, in the county of Lyeoming, with a capital of one hundred thousand dollars, with the right to increase the same to two hundred thousand dollars, to be divided into shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and the supplements thereto, and to be subject to all the restrictions and provisions and with the immunities contained in the same: *Provided, That* said bank shall pay into the treasury of the commonwealth one per centum on the amount of its capital, within one year after its organization.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 550.

## AN ACT

To incorporate the Silver Hill Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Joseph S. Silver, Joseph S. Silver, junior, Robert Hutchinson, Charles Hartshorne and Jeremiah Bousall, and their associates, be and they are hereby incorporated under the name, style and title of the Silver Hill cemetery company.

SECTION 2. That they shall be authorized to purchase and use for cemetery purposes any amount of land not exceeding eighty acres, in the Twenty-fourth ward of the city of Philadelphia. Real estate.

SECTION 3. That they shall be entitled to all the powers, rights and privileges, and subject to the same conditions and restrictions as are granted and imposed in the act incorporating the Woodlands cemetery company, with the supplement or supplements thereto. Powers.

SECTION 4. That should said cemetery be located in that portion of Twenty-fourth ward where streets are not yet laid out and opened, any streets not yet opened, which if opened would intersect said cemetery, are vacated. Streets &c.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 551.

## AN ACT

For the relief of Frances Montgomery, of Washington county, Kentucky,  
Widow of a Revolutionary Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he hereby is authorized and required to pay to the treasurer of the county of Washington, state of Kentucky, or his order, in trust for Frances Montgomery, widow of Thomas Montgomery, a soldier of the Revolutionary war, a gratuity of forty dollars and an annuity of forty dollars during the term of her natural life, payable half yearly, commencing on the first day of January, one thousand eight hundred and fifty-seven, to be paid to the said Frances Montgomery in person by the treasurer of Washington county aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 552.

## AN ACT

To increase the Pay of Township Supervisors in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the pay of township supervisors in the county of Tioga shall be one dollar and fifty cents per day, the same to take effect on the first day of January last.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 553.

## AN ACT

Authorizing the Board of School Directors of the borough of Port Clinton to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the board of school directors of the borough of Port Clinton, Schuylkill county, to borrow any sum or sums of money not exceeding in the aggregate one thousand dollars, at any rate of interest not exceeding six per centum per annum, for the purpose of erecting one or more school houses in said borough, for paying for lot or lots of land or lands; and it shall and may be lawful for the said directors to secure the money so borrowed by bond or mortgages of said directors upon the real estate belonging to the common schools of said borough, or otherwise, as said directors may see proper.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.



No. 554.

## A N A C T

To legitimate Mary Allen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Mary Allen, an illegitimate child of Thomas J. Allen, of Fayette county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 555.

## A N A C T

To extend Twentieth street, between M'Kean street and Passyunk road, in the First ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the east line of Twentieth street, between M'Kean street and Passyunk road, in the First ward of the city of Philadelphia, shall extend from the north-east corner of said Twentieth and M'Kean streets, as now laid down in the plan of the said city of Philadelphia, to the south-west corner of the Lebanon cemetery tract, on the north-westerly side of the said Passyunk road; and that the west line of said Twentieth street, between the said M'Kean street and Passyunk road, shall run parallel with the said east line of said Twentieth street, and at the distance of fifty feet therefrom: *Provided, That* the damages of opening said street, if any, shall be assessed as damages are now by law

## LAWS OF PENNSYLVANIA,

assessed in said city, and that no part of said cemetery shall be occupied by said street where interments have been made.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 556.

## AN ACT

To vacate Canal alley, in Churchville, Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that part of Canal alley, lying between Front street and Jackson street, in the town of Churchville, Northumberland county, be and the same is hereby vacated, and that the ground now occupied by the said part of the said alley be and is hereby vested in the owner or owners of the land adjoining the same, their heirs and assigns.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 557.

## AN ACT

Granting authority to the Supreme Court in the matter of the Estate of Susanna E. Lesley, deceased.

WHEREAS, Susanna E. Lesley, by her last will and testament, dated February seventeenth, one thousand eight hundred and

fifty-six, (duly proven in the office of register of wills for the city and county of Philadelphia,) did, *inter alia*, direct James Lesley, styling him trustee therein named, to do and perform certain acts, which he declines and refuses to do and perform; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supreme court of the state of Pennsylvania shall have full power and jurisdiction in equity to carry out and enforce the provisions of the last will and testament of Susanna E. Lesley, deceased, of the city of Philadelphia, and to decree the execution of all trusts, powers and directions therein contained, by appointing a person to execute the same, subject to the control and approbation of said court, and make all orders that may be necessary in the premises.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 558.

## AN ACT

Requiring Publication of Application to the Legislature of this Commonwealth relative to Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when any person or persons, either in their own right or in the right of others, any bodies corporate or association of persons for any purpose whatsoever, who are interested in the title, sale, rents, issues or profits of lands in this commonwealth, shall apply to the legislature for the passage of any law relating thereto, such person or persons, bodies corporate or association of persons, shall give notice of the nature of such intended application by six publications in one newspaper published in the county or city where such lands lie, the last of which shall be at least ten days previous to such application, and shall file with the bills or petitions the evidence of such publication: *Provided*, That if there is no paper published in the county where such lands lie,

then the publication required shall be made in an adjoining county.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 559.

# AN ACT

To repeal the Fifth Section of an act, entitled “An Act for the greater Certainty of Title and more Secure Enjoyment of Real Estate.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fifth section of the act of twenty-second April, one thousand eight hundred and fifty-six, entitled “An Act for the greater certainty of title and more secure enjoyment of real estate,” be and the same is hereby repealed, and all actions and proceedings at law and equity may be had and maintained in like manner as if said fifth section had never been passed.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 560.

## A N A C T

Relative to an act to incorporate the Good Intent Fire Company of Roxborough township, in the county of Philadelphia, and provide for the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the seventh section of the act of assembly, entitled "An Act to incorporate the Good Intent fire company of Roxborough," passed the seventh day of March, one thousand eight hundred and forty-five, as directs and requires the managers for the relief and employment of the poor in the township of Roxborough, in the county of Philadelphia, to make an annual appropriation of fifty dollars to the aforesaid, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 561.

## A S U P P L E M E N T

To an act passed the fourteenth day of April, one thousand eight hundred and fifty-five, relative to a State Road leading from Meadville, Crawford county, to Wilmington, Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the location of the road as located by the commissioners in the above mentioned act as lies between the farm of Joseph Alexander, on the east of the borough of Mercer, to the point where the said location strikes the present road leading



from Mercer to Wilmington, in East Lackawanoek, near the farm of John Armstrong, be and the same is hereby vacated.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 562.

### A FURTHER SUPPLEMENT

To the act incorporating the Philadelphia and West Chester Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for any violation of the act, entitled "A supplement to an act to incorporate the Philadelphia and West Chester turnpike road company," approved the eighteenth day of April, one thousand eight hundred and fifty-five, the penalty shall not be less than five nor more than ten dollars for each offence, to be sued for and collected for the use of the company, as provided by the fourteenth section of the act incorporating said company, approved the twenty-fifth day of March, eighteen hundred and forty-eight.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 563.

## A SUPPLEMENT

To incorporate the Lancaster and Willow Street Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the Lancaster and Willow Street turnpike road company to charge and receive, from all teams passing over said road, three cents in lieu of two cents for five miles, that is to say, on wheels whose tire is four inches and not seven, for every horse drawing the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 564.

## SUPPLEMENT

To the Charter of the Philadelphia and West Chester Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president and managers of the West Chester and Philadelphia railroad company may give notice for thirty days in two newspapers published in the city of Philadelphia, and each of the counties of Chester and Delaware, calling upon all the creditors of said company to whom are due and owing debts and liabilities, other than the principal sums named in the bonds secured by two mortgages, made by said company, dated respectively the twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-three, and the first day of April, Anno Domini

Notice to be  
given to creditors

one thousand eight hundred and fifty-four, to make known such debts and liabilities to said president and managers within sixty days from date of notice.

Proof of payment  
of debts.

SECTION 2. That the said president and managers may apply to the court of common pleas of the city and county of Philadelphia, or of the counties of Chester or Delaware, to be permitted to make proof of the payment of the debts and liabilities which shall be made known as aforesaid; and upon such proof being made to the satisfaction of the court, a decree shall be made authorizing the said company to enter upon and take possession of their railroad, and all the rights and franchises, with the land, engines, cars, and the claims and damages, and all the property of said company, with the appurtenances, in whose hands and possession soever the same may be, with the increase thereof and the substitution therefor, and hold the same, as fully and freely as they did on and before the twenty-fifth day of April, Anno Domini one thousand eight hundred and fifty-six, and as if a certain indenture dated on that day, between the said company of the one part, and John B. Myers and John Thomas of the other part, had not been executed, and notwithstanding the said John Thomas and Joseph K. Thomas may claim to have possession of the same under the provisions of said mortgages, or either of them: *Provided*, That if it should appear to the court that any of the debts or liabilities made known as aforesaid remain unpaid without any fault of said president and managers, the court make said decree, upon the company paying into court, or otherwise securing to the satisfaction of the court, such sum of money as shall be sufficient to discharge such unpaid debts and liabilities: *And provided further*, That nothing herein shall discharge the company from liability from any debts which may not be made known as aforesaid: *And provided further*, That before such decree shall be made the said company shall bind themselves, to the satisfaction of the court, to permit the trustees under said mortgages, or either of them, to enter upon and take possession of the property, franchises and estate, with the appurtenances mentioned and described in said mortgages, upon any subsequent default in the condition of the bonds thereby secured, with like effect as if said trustees had not already taken possession of the same, under the provisions of said mortgages.

Decree by court.

Proviso.

Proviso.

Further decree  
by court.

SECTION 3. That upon compliance with the provisions of the preceding two sections, the court shall make a decree ordering all persons having in their possession or under their control any estate, effects, books, papers or property whatsoever of the said company, to deliver the same to the president and managers thereof, and shall enforce by attachment all decrees and orders made by virtue of this act.

Owners of  
wharves may  
construct rail-  
way.

SECTION 4. That the owners or occupiers of wharves on the Schuylkill, below Market street, in the Twenty-fourth ward of the city of Philadelphia, shall have the right, jointly or severally, to construct a single track railway along Oak street from the said Philadelphia and West Chester railroad, and through Bridgewater street to their respective wharves: *Provided*, No connection with said road shall be made without the consent of said company, and that said single track shall be laid in such manner as the board of survey may direct, and shall be subject to such ordi-

Proviso.

nances as councils of said city may pass in regard to the use or renewal of the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 565.

## A SUPPLEMENT

To an act to incorporate the East Broad Top Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sixth section of the act, entitled “An Act to incorporate the East Broad Top railroad and coal company,” be and the same is hereby repealed; and the stockholders of said company shall be jointly and severally liable in their individual capacities and estates for all debts and contracts made by such company to the amount of stock held by them respectively unpaid, and for all debts due to mechanics, workmen and laborers employed by said company, to be sued for and collected as is provided for in the twelfth, thirteenth, fourteenth and fifteenth sections of the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 566.

## AN ACT

To incorporate the Tioga County Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin C. Wickham, Thomas L. Baldwin, J. S. Bush, F. E. Smith, Vine De Pui, A. S. Turner, John W. Guernsey, Daniel G. Stevens, David L. Aikin, Joseph W. Ryerss, Coffin Calket, R. G. White, A. P. Cone, Amos Bixbee, O. F. Taylor, John L. Robenson, Josiah Emery, John N. Bache, John R. Bowen, J. F. Donaldson, William A. Rae, James H. Gulick are hereby appointed and commissioned, and they or a majority of them are hereby authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Tioga County Bank, to be located in Tioga village, Tioga county, Pennsylvania, with a capital of one hundred thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing said capital to two hundred thousand dollars, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and the supplements thereto, and enjoy all the privileges and immunities contained in the same: Provided, That said corporation shall pay into the state treasury a bonus of one per centum upon its capital stock within one year after the passage of this act, and the same bonus upon any increase thereof within one year after such increase.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 567.

## AN ACT

To Legitimate Children Born out of Lawful Wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any and every case where the father and mother of an illegitimate child or children shall enter into the bonds of lawful wedlock and cohabit, such child or children shall thereby become legitimated, and enjoy all the rights and privileges as if they had been born during the wedlock of their parents.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 568.

## AN ACT

Regulating the Fees of District Attorneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the fees now provided for by law, the attorney general and district attorneys of the several counties of this commonwealth, except the city and county of Philadelphia, and the county of Allegheny, shall receive respectively for

Fees of district  
attorneys.

Drawing indictment and prosecuting every offence indictable only in the oyer and terminer, ten dollars.

A bill for an offence indictable only in the oyer and terminer and returned ignoramus, five dollars.

Drawing indictment and prosecuting every offence indictable only in the quarter sessions, five dollars.

A bill for an offence indictable only in the quarter sessions and returned ignoramus, three dollars.

Case settled with leave of court, three dollars.

Fees in Allegheny county.

Every case of surety of the peace, three dollars.

SECTION 2. That the fees to be allowed and paid to the prosecuting attorney for the county of Allegheny shall be as follows:

For drawing bill of indictment and prosecuting the same, for every offence triable only in the court of oyer and terminer in said county, six dollars.

And for every such bill returned ignoramus, four dollars.

For drawing bill of indictment and prosecuting the same in quarter sessions, five dollars.

And for every such bill returned ignoramus, three dollars.

For all cases of surety of the peace, three dollars.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 569.

## AN ACT

For the relief of John Lorentz, of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to John Lorentz, of Lancaster county, the sum of two thousand dollars, for damages sustained by him on the fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five, by a collision on the Columbia railroad.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 570.

## AN ACT

To authorize the Buffalo and Bradford Railroad Company to hold certain Lands in M'Kean county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Buffalo and Bradford railroad company are authorized and empowered to hold such lands in the townships of Bradford and Lafayette, in the county of M'Kean, as they may acquire by gift, purchase or by subscription to the stock of said company, not exceeding in quantity five thousand acres: *Provided,* That whatever quantity said company may acquire according to the provisions of this act, shall be reduced to two thousand acres within twenty years from the date of the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 571.

## AN ACT

Relative to the Montour Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the present indebtedness of the Montour iron company, and to enable them to secure existing liabilities and borrow further sums necessary to conduct their business, the board of managers thereof may, from time to time, borrow any sum or sums of money not exceeding six hundred thousand dollars, at such rate of interest as the parties thereto may agree upon; that to secure the said debts or loans, or either of them, May borrow money.  
Bonds and mortgage.

or any part thereof, the said board of managers may issue bonds of said company, for such sum or sums, and payable at such times as they may determine ; and to secure the same, may execute one or more mortgages upon their real estate, or upon their coal, ores, iron, or other personal property, and upon the products, rents, issues and profits accruing from their business, or any portion or portions thereof, upon such terms, conditions and covenants as they may deem most expedient ; and said property, real or personal, may remain in possession of said company, and may, from time to time, be used by them for the purposes of their business ; and that upon said property, and upon such other like property as may be in the possession of, and as may, from time to time, and without other instrument of writing, be substituted for or in the place of that originally mortgaged, and which may have been so used by said company, the said mortgage or mortgages shall be valid liens against other creditors of said company ; and no sheriff's sale thereof, shall divest the lien, or impair the security of said mortgage or mortgages : *Provided*, That the loan or loans thus made and secured, shall be first applied to the payment of existing debts of said company ; and that when any debt or loan shall be due and unpaid, all profits arising from the business thereof, after defraying the expenses, shall be applied to the payment of the debt or loans of said company, according to their respective priorities : *Provided also*, That no mortgage given by virtue hereof, shall effect any claim due for wages to persons employed by said company ; and that in case of a sale under the said mortgage or mortgages, the purchasers shall have and enjoy the same corporate privileges, and the same rights in the mortgaged portion or portions thereof, as the said Montour iron company now have ; and shall be authorized to organize and continue the corporation by the division of their capital into shares, and by the election of officers and managers in like manner.

SECTION 2. That the stockholders of said company shall be jointly and severally liable in their individual capacities for all debts due mechanics, workmen and laborers employed by, and for materials furnished to said company ; and for all debts and contracts made by said company, to the amount remaining unpaid on each share of stock held by them respectively, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, eighteen hundred and fifty three.

SECTION 3. That all mortgages executed and acknowledged under the provisions of this act, shall be recorded in the recorder of deed's office in the county of Montour, within thirty days after such acknowledgment.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

Company may hold and use mortgaged property.

Proviso.

Proviso.

Liability of stockholders.

Mortgages to be recorded.

No. 572.

## AN ACT

To incorporate the Philadelphia Steamship Dock Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel V. Merrick, Edward G. James, John M. Mitchell, William Dennis, David Woelper, Alexander Heron, junior, and their associates, and all persons who may now or hereafter may be holders of the stock hereinafter mentioned, shall and they are hereby declared to be a body politic or corporate, by the style of the Philadelphia steamship dock company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and to have, hold, receive, enjoy and take, either by absolute conveyance in fee simple or upon ground rent, and in case of a conveyance upon ground rent, with power to execute the necessary covenants for the securing the payment thereof, such wharves on the river Delaware, fronting the city of Philadelphia, as may be necessary and proper for the business and objects of said corporation, and to hire, rent, construct, improve or purchase such wharves and docks as they may require for the accommodation and use of all persons and vessels of every nature, and for the purpose of affording wharf and dock room to steamships and all other vessels, and the said wharves, or any part thereof, when in the opinion of the said corporation it may be proper so to do, to sell, mortgage, transfer or convey.

Corporators.

Style.

Privileges.

Objects.

SECTION 2. That the capital stock of said corporation shall not exceed two hundred thousand dollars, divided into two thousand shares of one hundred dollars each, and shall be transferable under such regulations as the managers shall establish.

Capital.

SECTION 3. That a general meeting of the corporators shall be annually held on the first Monday of June, for the election of five directors and for the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not then be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being first given in at least three daily newspapers in the city of Philadelphia; and special meetings of the stockholders may be held upon like notice.

Annual meetings and elections.

SECTION 4. That the election of directors shall be by ballot, from among the stockholders; and that in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions as to the elections of officers, and on all questions at the meetings of the corporation, the corporators present, either in person or by proxy, shall severally have one vote for each share of stock held by them.

Votes.

SECTION 5. That the directors shall continue in office until their successors be elected, shall elect a president from among themselves, shall supply vacancies in their number, whether oc-

Directors.



casioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the stockholders; three directors shall constitute a quorum at these meetings; dividends of the profits of said company may be then declared half-yearly.

Present directors

SECTION 6. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be directors of the said corporation, and shall have power and authority as such.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 573.

AN ACT

To incorporate the Ocean Steam Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Mahlon Williamson, Benjamin Marshall, Washington Butcher, Israel Morris, Thomas B. Wattson, Samuel V. Merrick, John M. Mitchell, David S. Brown, Samuel E. Stokes, Daniel Haddock, John B. Myers, Morris L. Hallowell, Josiah Bacon, A. Heron, jr., and their associates, and all persons who may now or hereafter may be holders of the stock hereinafter mentioned, shall, and they are hereby declared to be constituted a body politic or corporate, by the style of the Ocean steam navigation company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and to purchase, build, charter, contract for, employ, equip and fit out steamships and all other vessels, with their appurtenances necessary and proper for the propulsion and navigation thereof, to be sailed and navigated upon Atlantic or other oceans, and upon all public navigable waters from any port in the United States or elsewhere, for the purpose and object of carrying and transporting wares and merchandize, and conveying passengers and mails by means of such steamships and other vessels, and to hold and enjoy all necessary rights and powers for receiving and delivering lading, and unlading merchandize transported, or to be transported in said

Corporators.

Style.

Privileges.

Objects

steamships and other vessels; and it shall and may be lawful for the said Ocean steam navigation company, their successors or assigns, from time to time, and at any time hereafter, (when, in the opinion of the directors of the said company, it may be proper so to do,) to mortgage, sell, exchange or dispose of the said steamships or other vessels, or any of them, or their appurtenances or any part thereof; and further, to have and enjoy all such other rights and powers as are or may be properly incident to a corporation, having for its object the transportation of merchandize, and the conveyance of passengers and mails by the means of steamships and other vessels. Powers

SECTION 2. That the capital stock of said corporation shall not exceed five hundred thousand dollars, divided into five thousand shares of one hundred dollars each; and that it shall be held as personal property, and as such be transferred under such regulations as the directors shall judge convenient; and any other corporation created by this commonwealth may subscribe to, and hold stock in this corporation. Capital stock  
Transfers.

SECTION 3. That the office of the company shall be at the city of Philadelphia, in the state of Pennsylvania. Office.

SECTION 4. That a general meeting of the corporators and stockholders shall be annually held on the first Tuesday of February, for the election of five directors, and the transaction of other business; but if such meeting or election shall not then take place the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, two weeks' public notice thereof being first given in at least two daily newspapers in the city of Philadelphia, for each and every meeting or election. Annual meetings  
and elections.

SECTION 5. That the election of directors shall be by ballot from among the stockholders; and that in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions, the stockholders present, either in person or by proxy, shall severally have one vote for each share of stock held by them. Votes.

SECTION 6. That the directors shall continue in office until their successors be elected; shall elect a president from among themselves; shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act; and shall have the general and entire control of the affairs and interests of the company, unless otherwise provided by the stockholders; and at their meetings, three members shall constitute a quorum. Directors.

SECTION 7. That until other officers shall be duly elected, the first five persons named in the first section of this act shall be held to be directors of the said corporation, and shall have power and authority as such, and to receive subscriptions to the stock of the said company, in such form and manner as they may provide. Present directors

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 574.

## AN ACT

To incorporate the Pennsylvania Farina Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Lindley Smyth, Henry C. Carey, Abraham Hart, Thomas S. Cavender, Joseph Harrison, junior, Stephen B. Poulterer, George H. Stuart, Osborne Macdaniel and William D. Lewis, and such others as they may associate with them, be and they are hereby created a body politic and corporate, by the name, style and title of the Pennsylvania farina company, to be located in the city or county of Philadelphia, with a capital not to exceed five hundred thousand dollars, to be divided into shares of not less than fifty dollars each.

Corporators.

Style.

Location.

Capital.

By-laws.

SECTION 2. That said company shall have authority to establish such by-laws for its government as a majority in number and interest of its stockholders may agree on: *Provided*, That said by-laws shall not be inconsistent with the provisions of this act.

Real estate.

SECTION 3. That said company shall be authorized to acquire, hold and convey such real and personal estate as is necessary for the transaction of its business: *Provided*, The real estate held by them at any one time shall not exceed ten acres.

Objects.

SECTION 4. That the said company shall have the power to make from grain, meal, flour or other farinacious substances, paste, sizing and gritz farina, and other articles of food, and to transport and vend the same: *Provided*, That nothing herein contained shall be so construed as to authorize said company to manufacture flour or meal from grain, except for their own use in the manufacture of the articles aforesaid.

Bonus.

SECTION 5. That the said corporation shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law.

Liability.

SECTION 6. That the stockholders of the said company shall be jointly and severally liable in their individual capacities for all debts and contracts made by said company, to the amount remaining unpaid on each share of stock held by them respectively, and also for all debts due mechanics, workmen and laborers employed by, and for materials furnished for the construction of the factories and machinery of the said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

SECTION 7. That this charter shall continue in force for the <sup>Limitation.</sup> period of twenty years and no longer, unless extended or renewed by the legislature; and the legislature hereby reserves the right to alter, amend or repeal the said charter at any time, in such manner, however, as to do no injustice to the corporators.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 575.

## AN ACT

Relative to Cross Street, in the City of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it may and shall be lawful for the select and common councils of the city of Pittsburg to grant to the president and managers of the Birmingham and Pittsburg bridge company, authority to locate and erect the northern abutment of their bridge upon Cross street, in the Eighth ward of the city of Pittsburg, and to occupy so much of said street as may be necessary for the purpose aforesaid, and to grade said street, and adapt it to the use of said bridge.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 576.

## AN ACT

To incorporate the Iron City Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Theobald Umbstaetter, William H. Williams, Leonard S. Johns, W. O. Leslie, John Scott, Lewis Morganstern, John M'Vay, James S. Craft, James Lippencott, John S. Dilworth, Mansfield B. Brown and James Schoonmaker be and are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered to establish a bank of issue, to be called and known by the name, style and title of the Iron City Bank, to be located in the city of Pittsburg, Allegheny county, with the capital of four hundred thousand dollars, which shall be divided into eight thousand shares of fifty dollars each, to be organized, managed and governed as is provided for by the act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, to be subject to all the provisions and restrictions, and to have all the immunities and privileges mentioned in said act and the several supplements thereto: *Provided however, That* one-third of the capital stock of said bank actually paid in shall be loaned to the farmers, mechanics and others of the county of Allegheny, if applied for for one year, on a sufficient surety being given by bond and mortgage on real estate: *Provided, That* the said corporation shall pay into the state treasury a bonus of one per cent. on their capital stock, within one year from the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 577.

## AN ACT

Authorizing the incorporation of the Bank of Pottstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



Clement Brooke, William D. Evans, Henry Potts, George Richards, Henry Longaker, Isaac Linderman, John Thompson, Chas. H. Clay, Abram Guldin, John C. Smith, Jacob S. Yost, James Rittenhouse, Samuel Shaner, Frederick Brendlinger, Peter Hilla-gass, Hiram Hartrauft, Daniel Jacoby, William H. Schneider, Amos Shultz, John E. Spare, J. Dutton Steele, William Mintzer and Daniel H. Beecher, of Montgomery county; Owen Stover, William Price, Andrew Bush, George Bough, David Jones, John B. Reiff and John H. Evans, of Chester county; Peter Y. Brendlinger, John S. Bechtel, Solomon Crester, Henry Ames, Adam Gilbert and John Weise, of Berks county, are hereby appointed, and they, or any thirteen of them, are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Bank of Pottstown, to be located at the borough of Pottstown, in the county of Montgomery, with a capital of one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with power to increase the stock to two hundred thousand dollars, at a meeting of a majority of the stockholders called for that purpose, and to be divided into four thousand shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, and be subject to all the provisions and restrictions, and to enjoy all the immunities contained in said act and the several supplements thereto: *Provided*, That the said corporation shall pay into the state treasury a bonus of one per centum upon its capital, and upon any increase thereof, within one year after the passage of this act.

ROBERT B. KNIGHT,

*Speaker of the House of Representatives pro tem.*

DAVID TAGGART,

*Speaker of the Senate.*

We do hereby certify that the bill, entitled "An Act authorizing the incorporation of the Bank of Pottstown," was presented to the governor on the twenty-seventh day of April, one thousand eight hundred and fifty-seven, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,

*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,

*Clerk of the Senate.*

HARRISBURG, May 15, 1857.

No. 578.

## AN ACT

Supplementary to the Charter of the York County Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the York County bank be and is hereby increased to three hundred thousand dollars; that the par value of each share to be twenty dollars; and the said bank shall retain all the rights and privileges to which it is now entitled, and shall be subject to all the liabilities and restrictions to which it is now subject; and that the said bank shall be managed and governed as is provided by the act regulating banks, approved April sixteen, Anno Domini, one thousand eight hundred and fifty, and to be subject to all the restrictions and provisions, together with the immunities contained in said act and the several supplements thereto: *Provided,* That said bank shall pay into the state treasury two per centum on the additional amount of capital stock by this act created; the said payment to be made upon each portion of said stock within three months from the time of issuing said portions respectively.

Capital increased

Subject to.

Bonus.

Increased capital, how to be disposed of.

SECTION 2. That the increased capital stock by this act created, be disposed of by the president and directors of the said bank, and their successors in office, as follows, to wit:—Twenty-five hundred shares of the said increased stock shall be sold at public sale, upon at least twenty days' notice in at least two newspapers of York county, and the remaining seven thousand five hundred shares of the said increase be allotted among the stockholders pro rata, according to the number of shares owned respectively at the time of the allotment, in such amounts, and at such time or times as the business wants of said bank may require; and any shares of stock not taken at any allotment, said stock not so taken, shall be sold at public sale as is above provided.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

We do hereby certify that the bill, entitled "An act supplementary to the charter of the York County Bank," was presented to the governor on the twenty-eighth day of April, one thousand eight hundred and fifty-seven, and was not returned by him within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,

*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,

*Clerk of the Senate.*

HARRISBURG, May 15, 1857.

No. 579.

## AN ACT

. For the sale of the Main Line of the Public Works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the governor within ten days after approving this act, to cause to be advertised daily until the day of sale, in one or more newspapers of extensive circulation, published in the cities of Philadelphia, Pittsburg, Washington, Boston, New York and in the borough of Harrisburg, a notice that the main line of the public works will be exposed to public sale, at the Merchants' Exchange, or some other public place in the city of Philadelphia, on a day to be selected by him, not more than forty days after the passage of this act; if a sale shall not be effected on the day fixed by the governor, it shall be lawful for him to adjourn the sale from time to time as he may deem expedient: *Provided*, That public notice of such adjournment shall be given in such newspapers as he may select: *And provided further*, That the last day fixed by adjournment for said sale shall not be less than twenty days before the meeting of the next legislature.

Notice to be given by the governor of time and place of sale.

Adjournment of sale.

SECTION 2. That at the time and place so selected, it shall be the duty of the governor to have offered at public sale, the whole main line of public works, to wit: the Philadelphia and Columbia railroad; the canal from Columbia to the Junction at Duncan's island; the Juniata canal from thence to Hollidaysburg; the Allegheny Portage railroad, including the new road to avoid the inclined planes, and the canal from Johnstown to Pittsburg, with all the property thereto appertaining or in anywise connected therewith.

Main line to be offered.

SECTION 3. That it shall be lawful for any person or persons or railroad or canal company now incorporated, or which may hereafter be incorporated by and under the laws of this commonwealth, to become the purchasers of the said main line of the public works, for any sum not less than seven and a half millions of dollars; and in the event of a sale of the said main line being made to individuals, it shall be lawful for such individuals so purchasing, after the said public sale, to assign and transfer their right to the said main line under said purchase, to any railroad or canal company created by the laws of this commonwealth; and such railroad or canal company on compliance with the conditions of the said sale, and on the payment or securing of the purchase money of the said main line to the commonwealth as hereinafter provided, shall be fully invested with the right of the said purchasers, and be entitled to the same rights and privileges as if the said main line had been struck off and sold to said company at the time of said public sale, and if necessary, said company may increase their capital stock or bor-

Who may purchase.

Minimum price.

Purchasers may re-sell.

May increase their capital, or borrow money.

row money and issue their bonds to any amount not exceeding fifty per centum above the amount of the purchase money ; and should any association of individuals become the purchasers of the said main line on the terms prescribed by this act, the governor is hereby authorized to grant them letters patent incorporating the same into a body corporate, in deed and in law, under the name, style and title of the Philadelphia and Pittsburg railroad and canal company, with all the privileges and subject to all the restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the supplements thereto, so far as is consistent with the provisions of this act: *Provided*, That no bid shall be accepted unless the bidder or the company to whom he shall assign his said bid, shall on the day of the sale have deposited in the hands of the governor, or some person duly authorized by him to receive it, the sum of one hundred thousand dollars in cash or state bonds, which shall be forfeited to the use of the commonwealth, if the terms of sale are not complied with ; and if the party to whom the same shall be struck down shall not comply with the said conditions, by the payment of one hundred thousand dollars as aforesaid, then it shall be the duty of the governor, if deemed proper by him, to tender the same to the next highest bidder who shall comply with the said conditions: *Provided*, That said next bid is not less than seven millions five hundred thousand dollars, or again expose the said main line to sale, as provided for by the first section of this act: *And provided further*, That if the Pennsylvania railroad company shall become the purchasers of said main line at said public sale or by assignment as aforesaid, they shall pay in addition to the purchase money at which it may be struck down, and which shall not be less than the sum of seven and a half millions of dollars, the sum of one and a half millions of dollars, the whole amount of sale to be paid in the bonds of the company, bearing interest at the rate of five per centum per annum, payable semi-annually on the thirty-first day of January and July of each year, and which bonds without further record shall remain a lien upon the said main line, one hundred thousand dollars of which said bonds shall fall due on the thirty-first day of July, one thousand eight hundred and fifty-eight, and one hundred thousand dollars thereof annually thereafter, until the thirty-first day of July, one thousand eight hundred and ninety, when one million of the residue shall fall due, and one million annually thereafter, until the whole is paid ; and upon the execution and delivery of said bonds to the treasurer of the state, the Pennsylvania railroad company, and the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, shall in consideration thereof, be discharged by the commonwealth forever, from the payment of all taxes upon tonnage or freight carried over said railroads ; and the said Pennsylvania railroad company shall also be released from the payment of all other taxes or duties on its capital stock, bonds, dividends or property, except for school, city, county, borough or township purposes ; and that it shall be lawful for the purchasers or their assigns, either to purchase or lease, hold and use the railroad of the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad com-

Letters patent.

Style.

Subject to.

One hundred thousand dollars to be deposited before bid is accepted.

Purchase by Pennsylvania railroad company regulated.

When tonnage tax to cease.

Liability for other than state taxes.

May purchase or lease Harrisburg and Lancaster railroad.



pany; and to straighten and improve the said Philadelphia and Columbia railroad, and to extend the same to the Delaware river, in the city of Philadelphia; and it shall be further lawful for them to alter, enlarge and deepen the canal portion of said main line, and to make such additional locks and dams, and to make in whole or in part a slackwater navigation as may be deemed expedient; and in the event of a sale or lease as aforesaid by the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, the said company shall have the power to sell or lease, and the said purchasers or their assigns, to buy or take on lease said road, and to make and receive respectively, all such contracts, deeds or assurances, as may be requisite to carry the same into effect: *Provided*, That the right of the commonwealth to enter upon, resume and purchase the road of the Pennsylvania railroad company, as provided in their charter, shall thereafter cease and determine: *And provided further*, That in case of the refusal of any stockholder or stockholders of said company to comply with the provisions of this act, after the same may have been accepted by a majority of the stockholders of the company, it shall be lawful for said company to pay the stockholder or stockholders so refusing the full market value of his, her or their share or shares of stock, and such share or shares shall enure to the benefit of the company to be disposed of by the directors for the benefit of the balance of the stockholders.

Enlarge and repair works.

Proviso.

Proviso.

SECTION 4. That if the said main line of public works shall be sold to other parties than the Pennsylvania railroad company, the purchaser or purchasers shall be entitled to a like credit upon the amount of said purchase money, and for the performance of the conditions of said sale, in behalf of the purchaser, and for the security of the purchase money to the commonwealth, the said purchase money, until paid, shall remain a lien on said works; and the individuals or company purchasing as aforesaid, shall, within sixty days after said sale, give a mortgage on the said main line of the public works, and bonds for the amount of the purchase money, and in addition thereto, shall deliver, within ten days after said sale, to the governor, for the use of the commonwealth, bonds of the state of Pennsylvania or of the city of Philadelphia to the amount of one hundred thousand dollars, and within sixty days the additional amount of one million nine hundred thousand dollars, or in lieu thereof, a like amount of first mortgage bonds of the Pennsylvania railroad company, and payment of the principal of such purchase money shall be made in certificates of loan of the commonwealth of Pennsylvania, at par or in cash, and of the interest in cash semi-annually on the thirty-first days of July and January in each and every year upon any balance remaining due.

Credit to purchasers.

Purchase money to be a lien.

How to be paid.

Interest, how paid.

SECTION 5. That immediately after the said purchaser or purchasers or their assigns shall take possession of the same, the said purchaser or purchasers or assigns shall be bound ever thereafter, to keep up in good repair and operating condition, the line of said railroad and canal, extending from Hollidaysburg to Philadelphia, and so much of the Western division as lies between Blairsville and Pittsburg, until the North Western railroad shall be opened for business from Blairsville to the Allegheny river, with the necessary toll-houses, water-stations,

Works to be kept in good repair.



locks, buildings and other appurtenances; and the said railroad and canal shall be and remain forever a public highway, and the said purchaser or purchasers of the same, shall furnish stationary and locomotive engines and motive power, for the use of all persons or companies engaged, or wishing to engage, in the transportation of tonnage and passengers, at such times and in such manner as not to impair the use and enjoyment of said railroads by such parties, they paying just and fair charges, which shall not exceed the rates of toll on the railroad prescribed in the charter of the Pennsylvania railroad; and the rates of toll charged upon the canal shall not be more than eighty per centum of those prescribed in the charter of the Union canal company, it being the true intent and meaning of this act, that the said sections of canal and railroad and every part thereof, except as is hereinbefore provided, shall be and remain a public highway and kept open and in repair by the purchaser or purchasers thereof, or assigns as such, for the use and enjoyment of all parties desiring to use and enjoy the same: *Provided*, That said purchasers be authorized to grant, sell and convey, or to lease for a term of years, upon such conditions as may be agreed upon, any part or portion of said canals, and any corporation or association of individuals authorized by this act to purchase the whole, may purchase or lease such portions and hold the same subject to the conditions and entitled to all privileges contained in this act: *Provided*, That if the said purchaser or purchasers or their assigns, shall decide to abandon the Western division or any part thereof, then they shall be required to lease the same to any party or parties who may desire to keep it open, the expense of keeping up the same, devolving entirely upon the lessees, and the purchasers or their assigns, being forever exempt from any responsibility for keeping in navigable condition said Western division: *Provided further*, That if the said purchaser or purchasers, or their assigns, shall decide to abandon the Western division or any part thereof, the said purchaser or purchasers or their assigns, shall within not less than sixty days before such abandonment, purchase from the owner or owners, all the boats then in boating order on the said Western division, and all the cars and trucks then in running order on the Allegheny Portage railroad, at a fair price and valuation, to be agreed upon by the parties; and whenever the said purchaser or purchasers or their assigns, and any of the said owners cannot agree upon the price and value of any of the said boats, cars or trucks, the parties so failing to agree, shall each select one competent person, and they shall jointly select a third person, or failing to agree in the choice of such third person, the two chosen as aforesaid shall select a third person, and the three persons so chosen shall value and appraise the property, the price whereof could not be agreed upon as aforesaid, and their award shall be binding upon the parties.

SECTION 6. That the said purchasers may at any time before the maturity of said bonds, and after giving to the commissioners of the sinking fund, at least ninety days' notice of their intention so to do, pay off and satisfy the principal of said bonds or of any one or more of them with interest until so paid, at the prescribed rate, and shall then be entitled to receive back or be

And all parties  
entitled to their  
use.

Tolls.

Sale or lease of  
any part of works  
authorized.

Abandonment  
regulated.

Purchases to be  
made from trans-  
porters.

Bonds may be  
paid before ma-  
turity.

relieved from a proportionate amount of the additional security hereinbefore provided for; and if at any time any one or more of said bonds or the interest due on the same, be and remain unpaid for the space of ninety days from and after the maturity thereof, and the falling due of such interest, then and in that case the commonwealth shall have full power to re-enter upon and take possession of the property so transferred; and if the legislature shall not be in session at the time of such default, the governor shall have full power to appoint one or more persons to take possession thereof in the name of the commonwealth, and all payments made, and the certificates of state loans as aforesaid deposited with the state treasurer, shall upon re-entry as aforesaid, be forfeited to the commonwealth, and the governor shall sue out the mortgage, if any be taken, against any other works of the purchasing company, by *scire facias* in the supreme court wherever sitting, under which all the mortgaged works shall be sold, with the rights and franchises of the company, and conveyed to the purchasers by the treasurer of the commonwealth, without charge for poundage, subject to any liens thereon at the time when mortgaged, which shall remain unaffected thereby.

Penalty for non-payment when due.

Sale of works by state for non-payment of purchase money.

SECTION 7. That as soon as the purchasers shall have made the payments and delivered the bonds in number and for amounts equal to and falling due at the time provided for the payment of the respective instalments, and shall have fully complied with the conditions of this act, then the secretary of the commonwealth shall transfer, under the great seal of the state, to such purchasers, their successors or assigns, upon such terms and conditions as are mentioned in this act, the whole main line of public works between Philadelphia and Pittsburg, consisting of the Philadelphia and Columbia railroad, the Allegheny Portage railroad, including the new road to avoid the inclined planes, with the necessary and convenient width for the proper use of said railroads, the Eastern division of the Pennsylvania canal from Columbia to the Junction, the Juniata division of the Pennsylvania canal from the Junction to the eastern terminus of the Allegheny Portage railroad, and the Western division of the Pennsylvania canal from the western terminus of the Allegheny Portage railroad to Pittsburg; and including also the right, title and interest of the commonwealth in the bridge over the Susquehanna at Duncan's island, together with the same interest in the surplus water power of said canals, with the right to purchase and hold such lands as may be necessary to make the same available, and all the reservoirs, machinery, locomotives, cars, trucks, stationary engines, workshops, tools, water stations, toll houses, offices, stock and materials whatsoever and wheresoever thereunto belonging or held for the use of the same, and together with all the right, title, interest, claim and demands of the commonwealth of Pennsylvania to all property, real, personal and mixed, belonging to or used in connection with the same by the commonwealth: *Provided*, That the purchasers of said main line shall take the same and its appurtenances, subject to all contracts and arrangements heretofore made by act of assembly or otherwise, for and in respect to the use of such works, and shall carry out the same with all persons interested therein, in the same

Deed to be made by secretary of commonwealth.

Purchase to be subject to all contracts made by state.

manner as the commonwealth or its agents are now required to do by law.

Governor to give notice—collectors, &c., to continue to act.

SECTION 8. That as soon as the purchasers shall have given notice to the governor of their readiness to take possession of said works, he shall cause notice thereof to be given to all superintendents, toll collectors, officers and agents of the commonwealth employed on or about said railroads and canals, who shall continue nevertheless to discharge the duties of their said offices or employments (at the expense of the purchasers of said main line) until removed or re-appointed; and the official bonds of said officers or agents shall enure to the use of said purchasers, as to all moneys received or acts done by them on account of said works subsequent to the time when said purchasers shall take possession as aforesaid.

Bonds extended.

Purchasers may enter on lands, &c

SECTION 9. That it shall be lawful for said purchasers, their successors and assigns, and their officers, engineers, contractors and agents, to enter upon any lands adjoining or in the neighborhood of the works, and dig, take and carry away therefrom any materials necessary for enlarging, making, altering, deepening or improving said works, or any portion thereof, or for constructing any railroad, canal, bridge, viaduct, dam or other mechanical structure which may be required for the said works, or for making a slack-water navigation, or for improving any works already made: *Provided*, That compensation shall be made or secured to the owner or owners of any such lands or materials as shall be agreed upon between the parties; or if the said purchasers cannot agree with the owner or owners of such lands or materials, then the value of the same shall be ascertained, according to the provisions of the fourth section of the act, entitled "A further supplement to an act to incorporate the Pennsylvania railroad company," approved the twenty-seventh of March, one thousand eight hundred and forty-eight.

Compensation.

Powers of purchasers.

SECTION 10. That said purchasers, their successors and assigns, shall have power and authority to own and employ locomotive engines, cars, boats and horses, and to convey passengers and freight of whatsoever description, within reasonable time after possession is taken of said works or any portion thereof, and charge and receive tolls and fare for the passage and transportation of persons and freight; and said purchasers, their successors and assigns, shall have the exclusive right to furnish all the motive power on said railroads: *Provided*, That all persons with cars, horses, boats and freight may pass over said works, they paying tolls therefor; and the use of said works shall be governed by such general rules and regulations as said purchasers may from time to time ordain, establish and publish, but no person shall, without the consent of such purchasers, be permitted to use horses or other animal power on said railroads, or steam on said canals: *And provided*, That no discrimination in tolls or charges, or in priority of passage through the locks, shall ever be made against any boats or tonnage passing to or from the Susquehanna division of the Pennsylvania canal: *Provided also*, That the rate of toll on freight or tonnage passing over the said canal from the Junction to Columbia, coming from the North and West Branch and Susquehanna canals, shall not at any time be greater than the toll now charged on the said canals, as per toll

Proviso.

Tolls.

sheet heretofore published by the canal commissioners for the year one thousand eight hundred and fifty-seven: *And provided further*, That the purchasers of the said main line shall at all times keep open the present connection at Columbia and Middletown with the Susquehanna and Tide Water and Union canals, and shall at no time discriminate against the trade or tonnage passing to or from the said canals; neither shall they at any time charge more for boats or other crafts passing the out-let locks at Columbia and Middletown, than is now charged for the passage of boats or similar craft through other out-let locks owned by this commonwealth.

Canal to be kept open.

SECTION 11. That should any company already incorporated by this commonwealth become the purchaser of said main line, they shall possess, hold and use the same under the provisions of their act of incorporation, and any supplements thereto, modified, however, so as to embrace all the privileges, restrictions and conditions granted by this act in addition thereto; and all provisions in said original act, and any supplements inconsistent with the privileges herein granted, shall be and the same are hereby repealed.

Privileges of purchasers—other than the Pennsylvania railroad company.

SECTION 12. That the entire proceeds of the sale of said main line shall be paid to the sinking fund and applied to the payment of the state debt, according to the provisions of the act, entitled "An Act to provide for a sinking fund, and to provide for the gradual and certain extinguishment of the debt of the commonwealth," approved April tenth, one thousand eight hundred and forty-nine.

Proceeds of sale to be paid into sinking fund.

SECTION 13. That should it be ascertained at any time before the payment of the last instalment provided for, that further legislation is required for passing to the purchasers, their successors and assigns, all the title and interests of this commonwealth to said main line, or any portion thereof, or of the property connected therewith or used thereon, then the faith of the commonwealth of Pennsylvania is hereby pledged for the enactment of all laws and the performance of all acts necessary to carry out the true intent and meaning of this act.

Further legislation to be had if requisite.

SECTION 14. That all necessary expenses incurred by the governor under the provisions of this act, shall be paid out of any moneys in the treasury not otherwise appropriated, upon warrants drawn by him.

Expenses, how to be paid.

SECTION 15. That the purchaser of said works shall have a perpetual corporate succession; and if the said purchaser shall at any time misuse or abuse any of the privileges granted by this act, the legislature may revoke all and singular the rights and privileges granted to said company, on a judicial decree of said misuse or abuse being first duly had and obtained, and thereupon may take for public use the road or roads, canal or canals so purchased or constructed in pursuance of this act: *Provided*, That in resuming said franchises no injury shall be done to the corporators of said company; and in taking such road or roads, canal or canals, for the public use, full compensation shall be made to the stockholders.

Privileges may be resumed.

Proviso.

SECTION 16. That in the event of a sale and delivery of said main line as aforesaid, all further payments on account of the appropriations for motive power or other expenses on said main

Expenditures by the state to cease on sale.



line, as provided in an act to provide for the ordinary expenses of government, the repairs of public canals and railroads, and other general and especial appropriations for the year one thousand eight hundred and fifty-seven, shall be suspended.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 580.

## AN ACT

Incorporating the Brownsville Gas Company, in Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William Lafferty, J. L. Dawson, Westley Frost, James L. Bowman, D. S. Knox, A. Jacobs, G. H. Bowman, J. C. Woodward, W. H. Clark, John R. Dutton, J. W. Jeffries, of the borough of Brownsville, and Samuel B. Page, Elisha Bennett and J. J. Rogers, of the borough of Bridgeport, in the county of Fayette, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized to carry into effect the establishment of a gas company, to be located in the borough of Brownsville, in the said county of Fayette, with a capital of thirty thousand dollars, to be divided into shares of twenty-five dollars each, to be organized, managed and governed as provided by the act regulating gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and subject to all the restrictions and provisions, together with the immunities, contained in said act.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 581.

## A N A C T

To incorporate the Farmers' Mutual Fire Insurance Company of Berks and Lehigh counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Long, Solomon Appel, Solomon Koller, Michael Reichert, Amos Brans, David Heffner, William B. Kerchner, and such other persons as are or may be associated with them under the authority of this act, being citizens of Berks and Lehigh counties, their successors or assigns, are hereby made a corporation, by the name of the Farmers' mutual fire insurance company of Berks and Lehigh counties, and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate, to have and enjoy all the rights, powers and privileges, and be subject to all the limitations and restrictions provided and enacted by an act of assembly, passed the second day of April, one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," and shall be limited to the risks designated in the first class in the seventh section of said act, and shall transact its business upon the mutual principle.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 582.

## A N A C T

To incorporate the Lehigh County Mutual Horse Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Danner, Chas. Bauer, David Benner, George Klaus, Aaron

**Corporators.** Gaumer, John A. Gaumer, Horatio Hertzog, Reuben Stahler, Jonas Wesco, Henry Gorr, Daniel Miller, George Hinkel, Joseph Gaumer, William Redler, Henry Knappenberger, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, being citizens of Lehigh county, shall be a body politic and corporate, by the name of the Lehigh County mutual horse insurance company; and by that name shall have perpetual succession, and may sue and be sued, and hold, purchase, receive and convey real and personal estate, (with the limitations hereinafter specified,) and may use a common seal, and alter or change the same at pleasure, make by-laws not inconsistent with any existing laws, for the management of its property and the regulations of its affairs.

**Style.**

**Privileges.**

**Powers.** SECTION 2. That in addition to the general powers and privileges of a corporation as the same are declared by the foregoing section, the corporation hereby enacted shall have the full power on behalf of said corporation to make all and every insurance appertaining to or connected with life risks of the members' horses, of whatsoever kind or nature the same may be, and to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be required, and every such contract, agreement and policy to be made by the said corporation signed by the president and attested and signed by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made and provide a seal, with such device as they may deem proper, to be used by them as the common official seal of the company.

**Membership.** SECTION 3. That all persons who shall hereafter become insured in the said corporation, and also their heirs, executors and administrators continuing to be insured in said corporation, as hereinafter provided, shall thereby become members for and during the period they shall remain so insured, and no longer.

**Directors.** SECTION 4. That all the corporate powers of said company shall be exercised by a board of twelve directors, and such officers and agents as they may appoint. The persons named in the first section of this act, or a majority of them, shall constitute the board of directors of said company until the first Monday of January next, or until others are elected in their stead; and on the same day each year thereafter the members of the company shall meet at such place in the county of Lehigh as the corporation in their by-laws shall appoint for the election of a new board of managers, who shall continue in office for one year, or until others are elected in their stead, public notice of time and place thereof having been given by advertisement in at least two newspapers published in the county of Lehigh, ten days before the holding of the same.

**Elections.** SECTION 5. That every election for managers shall be by ballot, to be decided by a majority of the votes, and shall be conducted under the inspection of three members of the corporation, not managers nor candidates for any office in said corporation, to be appointed by the managers for that purpose; each member shall have one vote.

**President and other officers.** SECTION 6. That the board of managers for the time being shall choose a member of the board to act as president; they

shall annually appoint a secretary, treasurer and agent from time to time, or such other officer as shall be deemed necessary for the proper conduct of the affairs of the company; they shall fix the respective salaries and fees of the officers and agents by them appointed, shall have power to displace any such officers or agents, and to supply any vacancy which may happen by the death, resignation or displacement of an incumbent, either in their own board or in the officer or agent of the corporation; a majority of the board of managers shall constitute a quorum for the transaction of business.

SECTION 7. That every person who shall become a member of said company by effecting insurance therein, shall, before he receives his, her or their policy, deposit for such insurance his, her or their promissory note for such a sum of money as shall be determined by the managers; a part, not exceeding twenty per centum, of said note to be immediately paid, and annually an interest, as may be fixed upon by the board of managers of said company, not exceeding five per centum on the balance; and the remainder of said deposit note shall be payable in part or the whole at any time when the directors shall deem the same requisite for the payment of losses by the death of any of the members' horses, and such incidental expenses as shall be necessary for the transacting the business of said corporation; and at the expiration of the time of insurances, the said note, or such part of the same as shall remain unpaid after deducting all losses and expenses during said time, shall be relinquished and given up to the maker thereof; no premium so paid shall ever be withdrawn from said company. Insurances regulated.

SECTION 8. That suits at law may be maintained by said corporation against any of its members for any cause relating to the business of said corporation; also, suits at law may be prosecuted and maintained by any member against the said corporation for losses by death of his, her or their horse or horses, if payment is withheld more than thirty days after the company is duly notified of such loss; and no member of the corporation shall be debarred his testimony as a witness in any case on account of his being a member of the said company, and no member of the said corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness in any such suit on account of his being a member or an officer of said company. Suits.

SECTION 9. That the real estate which it shall be lawful for the said corporation to purchase, receive, hold and convey, shall be such as shall be requisite for its immediate accommodation in the convenient transaction of its business. Real estate.

SECTION 10. That no money shall be drawn from the funds of said company for the purpose of making dividends or dividing profits, nor for other purposes than first to defray the current or incidental charges of the corporation, and then for the purpose of paying such damages as any member of said company or insurer may be justly entitled to; and when the just demands of any insurer in said company, or member thereof, shall exceed the amount of its available funds on hand, such sum as shall be necessary to pay the same shall, without unnecessary delay, be assessed by any three of the managers appointed by the presi- Expenditures regulated.

dent, on the insurances, each member to pay in proportion to the amount he has insured, and publish the same; and every of the members of the company shall pay into the hands of the treasurer his, her or their proportionable parts of such rates within sixty days after such publication as aforesaid, and in default thereof shall be proceeded against according to the provisions of this act, and the by-laws made by said corporation.

Payment of losses

SECTION 11. That all and every of the members of this company who shall sustain any loss by the death of his, her or their horse or horses, shall give notice to two of the nearest residents being members of this company, and it is hereby made their duty, who shall examine and assess said damages, and report the same under their oaths (if required) to the president or secretary, within ten days from the time of their receiving notice; the said president or secretary shall, with all convenient expedition, immediately after receiving said report and ascertaining the sum which said parties shall be lawfully entitled to, make provision and payment as herein specified.

Annual statement.

SECTION 12. That within thirty days after the first Monday of January of every year, it shall be the duty of the officers of the company to cause to be made and printed in at least two newspapers published in the said county of Lehigh, a general balance statement of the affairs of said company. Such statement shall contain:

First. The amount of premiums received, and the amount derived from interest on loans or investments during the same period.

Second. The amount of the expenses of the company during the said period.

Third. The amount of losses incurred during said period, and the balance remaining with the said company. The business of the corporation shall be carried on at such place in the county of Lehigh as the board of managers shall direct.

Policies.

SECTION 13. No policy shall be issued by the corporation until application be made for the insurance of fifteen thousand dollars.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 583.

## AN ACT

To annul the Marriage Contract between Mary Ann Parker and William Franklin Parker.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Mary Ann Parker, of the city of Reading, and William Franklin Parker, be and the same is hereby annulled and made void, and the parties are released and discharged from said contract, and from all duties and obligations arising therefrom, as fully and effectually as if they had never been joined in marriage.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 584.

## AN ACT

To annul the Marriage Contract of Catharine E. Johnson and George Eyre Johnson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into by and between George Eyre Johnson and Catharine E. Johnson, his wife, be and the same hereby is annulled and made void, and the parties released and discharged from the said contract, and from all the legal duties and obligations arising therefrom, as fully, effectually and absolutely, as if they had never been joined in marriage.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 585.

## AN ACT

To exempt the Property of the Oley Academy, in the county of Berks, from Taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the property of the Oley academy, in the township of Oley, county of Berks, used for educational purposes, not exceeding two acres, with the buildings erected thereon, be and is hereby exempted from taxation.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 586.

## AN ACT

Designating the Period for the Commencement of the Official Term of the Commissioners, Prison Inspectors, and Directors of the Poor and House of Employment of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the term of office of the commissioners, prison inspectors and directors of the poor and house of employment of Lancaster county, shall commence on the fourth Monday of January next succeeding their election; and the official term of said officers now in commission, shall extend until their successors shall be qualified as hereinbefore directed.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 587.

## A SUPPLEMENT

To an act to Establish an Asylum for the Insane Poor of this Commonwealth, approved the fourteenth day of April, Anno Domini one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fees of the sheriffs of the respective counties of this commonwealth, under an order of court for the commitment and removal of an insane person to the Pennsylvania State Lunatic hospital and Union asylum, or to the Western Pennsylvania hospital, shall be as follows, to wit:—Three dollars per day for each day actually employed in such removal; three cents per mile for each mile circular traveled, and such necessary expenses as may be actually incurred in such removal; a statement or exhibit of the items of which said expenses shall be made out, and be verified by affidavit, and approved by the court.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 588.

## AN ACT

To prevent the Erection of Bone Boiling Establishments in the First Ward of the city of Philadelphia, and the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no bone boiling establishment, or depository of dead animals, shall be erected within the bounds, in the first division, as now laid out in the present plan of the city of the First ward of the city of Philadelphia; and all such establishments and depositories within said ward, are hereby declared a public nuisance, and punishable as such: *Provided,* That this act shall not take

effect until first July next: *And provided*, That this act shall extend to the county of Montgomery.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 589.

## AN ACT

Prohibiting persons from throwing Slabs in Canoe Creek, in the counties of Jefferson and Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, any person or persons who shall wilfully cast, throw, or cause to be cast, thrown or placed in the channel of Canoe creek, below high water mark, any slab or slabs, edgings or other refuse pieces of lumber or floating material of any kind, and shall be convicted, on indictment, in the court of quarter sessions of the proper county, shall be sentenced to pay a fine of not less than five dollars, nor more than twenty dollars, at the discretion of the said court; and all fines recovered by this act, shall be one-half for the supervisors of the roads, to be worked out on the roads of the proper township within where the offence is committed, and the other half to the informer: *Provided*, That nothing in this act shall extend to persons driving saw-logs to the mills on said stream, or to any person or persons putting in and rafting up square timber or boards, or other lumber, for the purpose of running the same to market, or for other lawful purposes, and which is intended to be run or taken out in a reasonable time.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 590.

## AN ACT

To change the place of Holding the Elections in Oliver township, Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the place of holding the general and township elections of Oliver township, in the county of Mifflin, be changed from the house now occupied by Benjamin Bradly, in the borough of M'Veytown, and that the same shall be held in future, at the school house known as the Brookland school house, in said township.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 591.

## AN ACT

Relating to City, County and Township Treasurers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any moneys shall have been or may hereafter be collected by law, in any city, county or township, for any special purpose, and paid into the hands of the treasurer of such city, county or township, it shall be unlawful for such treasurer to apply such moneys, or any part thereof, to any other purpose than that for which such moneys shall have been or may be collected; and every such misapplication shall be held and deemed a misdemeanor, for which such treasurer may be indicted and tried in the court of quarter sessions of the proper city or county; and upon conviction thereof, such treasurer shall be punished by fine of not less than the amount so misapplied, and by imprisonment in the jail of the proper city or county for not less than three months, nor more than one year: *Provided,* That prose-

## LAWS OF PENNSYLVANIA,

cutions, for all offences under this act, shall be commenced within six years from the time when such offence was committed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 592.

## AN ACT

Relative to Inquests by Coroners and Justices of the Peace.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the number of jurors summoned by coroners and justices of the peace in cases of inquests upon the bodies of deceased persons, as now required to be held by law, shall not be more than six to attend any one inquest.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 593.

## AN ACT

To release the Prothonotary of Potter county from the payment of certain Taxes.

WHEREAS, Henry J. Olmsted has been appointed to fill the vacancies in the offices of prothonotary, clerks of the courts of



quarter sessions, oyer and terminer and orphans' court of Potter county, occasioned by the removal from the county of Thomas B. Tyler, the late incumbent :

*And whereas,* The said Henry J. Olmsted will only hold the said offices, under said appointment, but about seven months, thereby rendering it unjust that he should be charged the full amount of taxes and fees upon his commissions ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Henry J. Olmsted be and he is hereby released from the payment of the taxes on his commissions, upon paying to the recorder of Potter county the sum of two dollars upon each commission, and the usual fees and tax upon his official bonds.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No 594.

## SUPPLEMENT

To an act, entitled "An Act relating to Hawkers and Pedlers in Susquehanna county," approved April eighth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the above entitled act, so far as the same relates to Susquehanna county, shall not be construed to exclude or prevent the hawking or peddling of domestic goods manufactured within the county; but the goods, wares or merchandize so manufactured within said county, may be hawked or peddled as before the passage of said act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 595.

## A N A C T

Relative to Assignees and Trustees of Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter no assignees or trustees who, in the discharge of the duties of their trust, have entered or shall enter into the possession and management of any railroad under any deed of assignment or mortgage, shall be personally responsible for any damage which may occur to any passenger or other person by collision, force or violence occurring in the operation of the railroad and locomotives so in their management, without any default or misconduct of such assignees or trustees; and if any case of damages shall occur by reason aforesaid, for which the railroad company if managing the road would be liable, the damage may be recovered against the assigning or mortgaging company, and execution therefor shall be levied of the property and effects held in trust by such assignees or trustees, or of any trust funds in their hands, by execution or attachment of execution, and be paid as part of the expenses of administering the trust, in preference to the creditors of the company, and the assignees and trustees shall accordingly have credit therefor in their accounts; and it shall be lawful for such assignees or trustees to make settlement of such claims for damages by compromise, approved by any court having jurisdiction of their accounts.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 596.

## A N A C T

Authorizing the Pennsylvania Railroad Company to hold Real Estate in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania railroad company be and is hereby authorized and empowered to purchase and hold lands, not exceeding five acres, in the county of Lancaster.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 597.

## A N A C T

Increasing the width of Diamond alley, and extending Union street, in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Diamond alley, in the city of Pittsburg, between Smithfield and Grant streets, be and the same is hereby increased in width on the northern side by taking off lots numbers three hundred and seventy-one, three hundred and seventy-two, three hundred and seventy-three, three hundred and seventy-four, three hundred and seventy-five, three hundred and seventy-six, three hundred and seventy-seven and three hundred and seventy-eight, fifteen feet, making the distance from Fifth street to Diamond alley two hundred and twenty-five feet instead of two hundred and forty feet, as laid down in the city plan.

Diamond alley  
widened.

SECTION 2. That all that part of lot number four hundred in the plan of Pittsburg which lies westwardly of the eastern line of Union street, extended in a straight line to Liberty street, the same course that said street now has across lots numbered three

Union street ex-  
tended.

hundred and ninety-five and three hundred and ninety-six, shall be and the same is hereby declared public, the same as other streets in said city; and that the increase of width on Diamond alley is hereby declared public, the same as other streets in said city.

Viewers to be appointed and damages assessed

SECTION 3. That the court of quarter sessions of Allegheny county, on being petitioned by ten or more citizens of Pittsburg for the increase of width of Diamond alley and the extension of Union street, named in the preceding sections, shall and they are hereby authorized to appoint six discreet and disinterested citizens, who, after being sworn or affirmed, shall proceed with as little delay as possible to view and examine the ground proposed to be taken for the increase of width of Diamond alley and the extension of Union street; the said viewers, or any four of them, shall inquire what damages any person or persons shall or may sustain by the widening of Diamond alley and the extension of Union street, and they shall make a fair estimate of the same, taking into consideration the advantages as well as disadvantages, and they shall inquire to whom the widening of Diamond alley and the extension of Union street is a benefit, and they shall apportion and assess the amount of damages so found upon and among the persons so benefitted, fairly and equitably, in proportion to the benefit received therefrom; and the said viewers, or a majority, shall file the said apportionment and assessment in the said court, and on the same being approved by the said court, it shall be entered and recorded at large upon the docket thereof, and shall bind and conclude all parties owning or claiming to own the property adjudged by the said viewers to be so benefitted by the increase of width of Diamond alley and the extension of Union street as public highways; and the sums so assessed and apportioned shall be and remain a lien upon the property so adjudged to be benefitted as aforesaid, until the same, together with the costs, shall have been fully paid or tendered to the person or persons entitled to receive the same; a change of ownership shall not bar the lien.

SECTION 4. That so soon as the damages and costs so assessed shall be paid to the persons entitled thereto by said report, or into court, to abide its order of distribution, the clerk of said court shall so certify to the court, and the court shall order said alley and street to be opened forthwith; in case of the inability or neglect of any of the viewers to attend, the court may appoint others.

Collection of damages.

SECTION 5. That the damages assessed as aforesaid upon the lots reported to be benefitted by the widening of Diamond alley and extension of Union street, if not paid within one year after the approval by the said court, process may issue from said court in the nature of a writ or writs of *scire facias* upon a mortgage in the name of the commonwealth, for the use of the person or persons, or their legal representatives, entitled thereto, and may be prosecuted to trial, judgment and execution for the amount of said damages, with interest and costs.

Provisions of act relative to Pennsylvania avenue made part of this act

SECTION 6. All the provisions of an act, entitled "An Act extending Pennsylvania avenue, in the city of Pittsburg, to the intersection of Ross and Fifth streets," approved the fourth day of May, one thousand eight hundred and fifty-seven, which are

not inconsistent with this act and the objects thereof, and which can be made applicable to the same, shall be considered and construed as part of this act, to all intents and purposes, as if said provisions had been specially set forth in this act.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 598.

## AN ACT

Supplementary to an act to Incorporate the City of Pittsburg,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of the city of Pittsburg shall, on the first Tuesday of January, in the year Anno Domini one thousand eight hundred and fifty-eight, and on the first Tuesday of January in every second year thereafter, elect by ballot, by a plurality of votes, one person to serve as mayor of said city, one person to serve as treasurer of said city, and one person to serve as controller of said city, who shall hold their offices respectively for two years, and until their successors be duly qualified; and in case, by reason of a tie vote, there shall be a failure by the said qualified voters to elect a person to fill either of said offices, the select and common councils of said city shall, prior to the first day of February then next ensuing, proceed in joint session, by *viva voce* vote, to fill said vacancy from among those who shall have received an equal and the highest vote for that particular office; and in all elections by the councils, the person receiving a majority of all the votes shall be declared duly elected.

Mayor, treasurer  
and controller to  
be elected.

Terms.

Elections by  
councils.

SECTION 2. That the mayor shall, before he enters on the duties of his office, take and subscribe an oath or affirmation before the councils in joint session, the oath or affirmation to be administered by the president of said joint session, to perform the duties of his office with fidelity; which oath or affirmation shall be administered in the chamber of the common council on the Friday next after his election; he shall be a citizen of the United States, and have resided four years next preceding his election within this commonwealth, the last three years of which

Oath of mayor.

Who eligible.



he shall have resided in said city. In addition to the powers now conferred upon the mayor of Pittsburg, he shall have and possess all authority which now is or hereafter may be conferred upon aldermen or justices of the peace within this commonwealth, so far as regards the detection and punishment of felonies and misdemeanors, as well as all offences against the ordinances of said city.

Powers

Treasurer to give bond.

Monthly statements.

Provido.

Duties of treasurer.

SECTION 3. That the treasurer shall give bond to the said city, in such sum as the city councils may from time to time direct, conditioned for the faithful performance of the duties of his office; and shall, before he enters upon said duties, take and subscribe an oath or affirmation before the mayor of said city, honestly to keep and account for all public moneys and property entrusted to his care; and if such treasurer shall knowingly violate said oath or affirmation, he shall be deemed guilty of perjury. The said treasurer shall keep the public money in such place and manner as the councils shall direct, and shall verify his cash account, at least once every month, to the satisfaction of the finance committee of councils; and upon the affidavit of a majority of said committee of any default therein, the said treasurer shall be forthwith suspended from office, until the further action of councils; and the district court of Allegheny county shall, on application based on such affidavit, forthwith order a judgment to be entered in said court in favor of said city, on the official bond of the said treasurer, for the amount of the alleged defalcation; which said judgment shall be a lien upon all the real estate of the defendants therein, and a writ of *fieri facias* may be issued thereon, and the like proceedings had as upon other judgments: *Provided*, That said court may, upon good cause shown, award an issue to try any disputed facts; and that said cause shall be tried within three months from the date of the entry of the judgment; and that the jury, if they find for the city, shall calculate interest, at twenty per cent., from the date of the defalcation; and the judgment finally had, shall bear interest at the same rate until paid; but in case the judgment should be collected from the surety or sureties, the said penalty of twenty per cent. herein provided for, shall be remitted.

SECTION 4. That the treasurer shall collect and receive all taxes and public assessments payable to the said city; he shall make allowance to all tax payers, who shall pay their taxes in the year for which they are assessed, at the rate of twelve per centum per annum from the date of such payment, until the first day of November next ensuing; and all taxes, rates and levies which may hereafter be lawfully imposed or assessed by authority of said city, on any real estate therein, shall be and they are hereby declared to be a lien thereon, together with all additions to and charges on the said taxes, rates and levies which, by the provisions of this act, are directed to be made; and that the said lien shall have priority to, and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility, which the said real estate may become charged with, or liable to, from and after the passing of this act; in case a warrant shall be issued for the collection thereof, there shall be an additional charge of five per centum upon such taxes. The

treasurer shall render, each day, to the controller an account of each item of his receipts, and shall, on the first Monday of November annually, give public notice in the newspapers authorized as public printers, to all persons who shall have omitted to pay their taxes, to pay them before the first day of December then next ensuing, and that if not paid by that time, warrants will be issued to collect the same, with five per centum in addition; and it shall be the duty of the treasurer to issue his warrants before the fifth day of said month of December, directed to the ward constables of each ward respectively, or to any other qualified voter thereof, having first obtained adequate security (approved by the finance committee of councils) for the performance of his or their duty, commanding each of them to levy said taxes, with all charges accrued thereon, of any goods and chattels of the delinquents wheresoever found, and to make sale thereof after advertisement, as in cases of distress for rents, which warrant shall be returnable within twenty days; and in case any of said collectors shall return to the said treasurer that any of said taxes cannot be collected for want of goods and chattels on which to levy, the said treasurer shall certify the same in each case to the city solicitor, whose duty it shall be to file said certificate in the office of the prothonotary of the district court of Allegheny county, and a writ of *feri facias* shall be forthwith issued thereon, by virtue of which it shall be the duty of the sheriff of Allegheny county to levy upon, and sell the real estate upon which said tax or taxes have been assessed, before the return day of said writ of *feri facias*; which sale shall vest in the purchaser thereat all the right, title and interest of the defendant in said writ of, in and to the real estate so sold; and the said treasurer shall, on demand and tender of fees, furnish certificates of all taxes and claims which are a lien on real estate, for which he shall be entitled to receive a fee of twenty-five cents for each certificate, and five cents for each lien and claim certified.

Notice to delinquent tax payers

Collection of taxes regulated.

SECTION 5. That the controller shall give bond to the said city in such sum as the city councils may from time to time direct, conditioned for the faithful performance of the duties of his office, and shall before he enters on said duties take and subscribe an oath or affirmation before the mayor of said city, faithfully to discharge the duties of said office; and if he shall knowingly violate said oath or affirmation, he shall be deemed guilty of perjury; he shall perform such duties as the councils of said city may from time to time prescribe, and is hereby empowered to administer oaths or affirmations to all persons presenting bills for probate against said city.

Controller.

SECTION 6. That all officers elected by the qualified voters of the city of Pittsburg under this act, shall be subject to removal by a vote of two-thirds of the whole number of the members of the select council, on the address of a majority of the whole number of the members of the common council; all other officers of said city shall be subject to removal for sufficient cause, in such manner as councils may determine. Whenever an elective officer shall die, resign, remove from said city, or otherwise become incapable of fulfilling the duties of his office, the city councils in joint session shall elect a successor, except in the

How officers may be removed.

Vacancies.

case of the mayor; and if any vacancy shall occur in the office of mayor, the councils shall order a special election by the people to fill the vacancy for the unexpired term thereof, to be held within thirty days thereafter, and the councils shall have power to appoint a person to serve as mayor in the interim.

Election of councils.

SECTION 7. That the election of members of the select and common councils of said city shall hereafter be held on the first Tuesday of January annually; they shall assemble in their respective chambers on the succeeding Friday, at ten o'clock, A. M., and shall then and there organize by electing such officers as may be required by their rules. The president of each council shall be sworn or affirmed by a member thereof to perform his duties with fidelity, and he shall immediately thereafter administer the same obligation to each member and to the other officers thereof.

How elections to be conducted.

SECTION 8. That the municipal elections of said city shall be conducted in the manner required by the act of Assembly, approved July second, one thousand eight hundred and thirty-nine, entitled "An Act relating to the elections of this commonwealth," and its supplements; as soon as the votes in any ward or precinct are counted, duplicate returns thereof shall be made out and signed by the officers, one copy of which, with the ballots and the tally papers, shall be sealed in one of the ballot boxes and deposited at the office of one of the aldermen of the particular ward; the other returns shall be disposed of as follows: The return of the votes given for mayor, treasurer and controller shall be placed in an envelop, sealed and endorsed "Election returns for city officers in ward," (or precinct of ward, as the case may be;) the return of the votes given for select and common councils shall be enveloped and endorsed in like manner, except that the words, "Select council," or "Common council," as the case may be, shall be written thereon instead of the words, "City officers," all of which envelops shall be further verified by the officers of the election writing their respective names across the seals thereof, and shall be delivered by the judge who held the election to the mayor of said city before three o'clock, P. M., on the next succeeding day; the returns of election of councilmen shall be handed by the mayor to the clerks of the respective councils at their chambers, on the next Friday, at ten o'clock, A. M.; and the returns for mayor, treasurer and controller shall be handed by him to the president of select council, in the presence of select and common councils in joint session, on the same day, as soon after their organization as may be; and it shall be the duty of the said select and common councils in the joint session aforesaid, to open and add up said returns and ascertain the result of said election, and to furnish a certificate of his election to each person entitled thereto, which certificate shall be signed by the presidents of the respective councils and attested by the clerks thereof; and in case there shall have been no election, the councils in joint session shall proceed without delay to elect, as provided in the first section of this act.

Contested elections.

SECTION 9. That each council shall be the judge of the election and qualification of its own members; and no member shall be unseated unless a petition of at least fifteen qualified voters

of the proper ward shall be presented within twenty days after the election to the councils while in session, or to the president thereof when not in session, setting forth the cause of complaint; and either council may, by a vote of a majority of all its members, unseat one of its own members as unduly elected, or expel him by a vote of two-thirds for improper conduct; and the right of none of the other officers whose election is provided for by this act, to the office to which he has been declared elected, shall be called in question unless a petition from fifty qualified voters of said city shall be delivered to a member of councils within twenty days after the election; and councils, by joint concurrent resolution, which shall require two-thirds of the members of each council to pass, may, on good cause shown, declare the mayor, treasurer or controller to have been unduly elected: in all of which cases a new election shall be held, after a public notice of not less than five nor more than ten days, in the newspapers authorized to do the city printing.

SECTION 10. That the qualified voters of said city shall, at the elections for city and ward officers, vote for said officers on three separate written or printed ballots, one of which shall be headed "City officers," and shall contain the names of persons voted for for mayor, treasurer and controller; one shall be headed "City councils," and shall contain the names of persons voted for for select and common council; and the other shall be headed "Ward officers," and shall contain the names of persons voted for for alderman or aldermen, judge of elections, inspector of elections, school directors, constable, assessor and assistant assessor; said tickets shall be folded so that the words, "City officers," "City councils" and "Ward officers" shall in all cases be exposed to view, and they shall designate the particular office for which the persons named are voted for.

SECTION 11. That the councils of the said city be and they are hereby authorized and empowered to cause to be graded, paved or macadamized, any public street, lane or alley, or parts thereof, which is now or may hereafter be laid out and opened in said city, and have the same set with curb stone; and the said councils are hereby authorized and empowered to provide for the levy and collection of the cost and expense of the same from the owners of the property bounding and abutting thereon, by an equal assessment on the feet front bounding or abutting as aforesaid, but councils shall not order any street, lane or alley, or any part thereof, to be paved, except upon the petition of a majority of the persons holding property on said street, lane or alley, or the part thereof proposed to be graded or paved; and before this act shall go into operation, councils shall provide by ordinance for assessing the damages sustained by any property from the grading of any street, lane or alley under this act, upon the property that may be benefitted thereby.

SECTION 12. That the said councils be and they are hereby authorized and empowered to provide for the appointment, in joint session, of three competent appraisers, whose duty it shall be, after having been duly sworn, to value and appraise the paving, macadamizing and preparing for paving of all streets, lanes or alleys in said city, the cost of which has been paid or assumed by said city, which said paving or macadamizing shall be valued according



to its actual condition at the time of said valuation and appraisement, and which preparation for paving shall in no case be valued at more than fifty cents per superficial yard; and the said appraisers shall, within six months after their appointment, file in the office of the city regulator a properly authenticated statement of the valuation of such paving and preparation for paving, distinguishing the value of every square on the said streets, lanes and alleys; the further duties of said appraisers and their compensation shall be provided for by the said councils by ordinance, but the appraisement and valuation shall be final and without appeal; and the said councils are hereby empowered and directed to provide for the assessment, levy and collection of the total amount of such appraisement from the owners of the property situate on said streets, lanes or alleys or squares thereof, and bounding or abutting thereon, in proportion to the distance in feet which said property may bound or abut as aforesaid: *Provided*, That said assessment shall be payable in five equal annual instalments; and the money so raised and paid by the said taxation and assessment shall not be applied or appropriated to grading, preparing or paving in or upon any other street, lane alley or square within the limits of the said city, nor shall the property so assessed and taxed as aforesaid be liable for, or taxed or assessed at any time thereafter for preparing, grading or paving on any other street, lane, alley or square within the limits of the said city.

Money to be applied to sinking fund.

SECTION 13. That the money arising from and collected under the foregoing section of this act shall be applied to the sinking fund heretofore established by the act of assembly of sixth May, one thousand eight hundred and fifty, entitled "An Act to limit indebtedness, et cetera, of said city," and shall be applied to the same purpose and held under the same restrictions as the said sinking fund is by said act required to be.

Construction.

SECTION 14. That the term of owner or owners used in the twelfth and thirteenth sections of this act, is hereby declared to mean any person or persons or bodies corporate who may own or claim the property to be affected by such improvements and assessments mentioned or intended in the said sections of this act, in whom is vested any estate in fee simple, fee tail for life, a perpetual leasehold, or for a term of years by lease or otherwise, not less than twenty years; and all assessments levied by virtue of the said twelfth and thirteenth sections of this act, may be collected as city taxes are now collected, and shall be a lien upon the property upon which they may be levied and assessed, which lien shall be filed by the city solicitor in the office of the prothonotary of the district court of Allegheny county, in a book kept for that purpose, within twenty days after such assessment; and in default of the payment of any assessment levied as aforesaid for a period of three months after notice and demand made therefor, the same may be recovered, together with all costs, by writ of *scire facias* in the name of the commonwealth, for the use of the mayor, aldermen and citizens of Pittsburg, as debts secured by mortgage are now recovered.

Repeal.

SECTION 15. That so much of the fifth section of the act of assembly of the sixth of May, one thousand eight hundred and fifty, entitled "An Act to limit the indebtedness and to provide



for the gradual and certain extinguishment of the debt of the city of Pittsburg," as authorizes an improvement tax to be levied, and so much of any other act or acts of assembly as is hereby altered or supplied, be and the same are hereby repealed.

SECTION 16. It shall be the duty of the councils of said city, as soon after the passage of this act as practicable, to provide for an efficient day and night police in said city; the number and compensation of said police shall be fixed by ordinance, but no ordinance decreasing the number and compensation of the police shall take effect before the next succeeding annual city election after the passage of this act, unless said ordinance so decreasing said number or compensation shall have been first approved by the mayor; and besides the duties imposed on the police by law and the ordinances of said city, the said police shall be subject to such lawful rules and regulations as the mayor shall from time to time prescribe.

Day and night  
police to be ap-  
pointed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 599.

## AN ACT

Relative to Certain Streets in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Charles street, in the First ward, city of Philadelphia, lying between Dickinson street, on the north, and Franklin street, on the south, be and the same is hereby extended to the width of thirty feet westward from the east line of said Charles street, as laid down in the original survey.

Charles street  
widened.

SECTION 2. That the act, entitled "An Act relative to one square of Washington street, in the city of Philadelphia," approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed,

Repeal.

and Washington street, between Cherry and Chatham streets, restored to its former width of one hundred and twenty feet.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 600.

## A FURTHER SUPPLEMENT

To the act Consolidating the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all suits now pending against any department of the city of Philadelphia, formerly having had a corporate existence, may be prosecuted with the same force and effect as if such corporation were still in existence; and the said city shall be liable in the same manner and form as such corporation might or would be if still existing.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 601.

## A FURTHER SUPPLEMENT

To the act Consolidating the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the tenth section of the act, entitled "A further supplement to the act consolidating the city of Philadelphia," approved the thirteenth day of May, one thousand eight hundred and fifty-six, be and the same is hereby repealed, and all proceedings for the recovery of the claims therein specified shall be in accordance with the laws existing previous to the passage of such act. Repeal.

SECTION 2. That the assessors of the several wards of the city of Philadelphia, shall at the same time they make the assessments required by law, ascertain the dimensions or quantity of each lot or piece of ground assessed, and return the same with their assessment to the city commissioners as provided by law; and whenever the said return shall not be sufficiently certain to enable the receiver of taxes properly to describe any lot or piece of ground, against which he is about to proceed for the recovery of registered taxes, it shall be the duty of the surveyor of the district in which said lot or piece of ground is situated, to furnish to the said receiver an accurate measurement thereof, together with a precise description of its locality. Duty of assessors.

SECTION 3. That the councils of the city of Philadelphia are hereby authorized and required to erect or cause to be erected over the river Schuylkill, at either Chestnut, Walnut or Spruce street as they may deem most expedient in the said city, the bridge authorized and required to be located at or near Chestnut street, by an act to authorize the erection of free bridges over the river Schuylkill, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-two. Bridge to be erected.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 602.

## AN ACT

To repeal the Fourth Section of the act to further amend the Road Laws of Erie county, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fourth section of the act, entitled "An Act to further amend the road laws of Erie county," approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby repealed.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 603.

## AN ACT

Appointing Commissioners to View and lay out a State Road from Claysville, in Washington county, to intersect the Waynesburg and Wheeling State Road at or near the farm of David Enoch, in Greene county.

Commissioners.

Route

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John Birch and T. C. Noble, of Washington county, and Ephraim M'Clelland, of Greene county, be and they are hereby appointed commissioners to view and lay out a state road, beginning at Claysville, Washington county, to intersect a state road leading from Wheeling to Waynesburg, at or near David Enoch's; it shall be the duty of said commissioners, after having been duly sworn and affirmed before a justice of the peace, to perform the*

duties enjoined upon them by this act with impartiality and fidelity, to carefully view, lay out and mark the said road, having reference to the shortest distance and best ground for the construction of said road, at an elevation not exceeding five degrees, excepting at the crossing of ravines and streams, where by moderate filling or bridging the declination of said road may be preserved within that limit.

SECTION 2. That the commissioners herein named, except the surveyor, who shall receive two dollars per day, shall receive a per diem allowance of one dollar and fifty cents for each day that they shall be necessarily employed in performing the duties under this act; and the said commissioners are hereby authorized to employ two chain carriers and one axeman, at one dollar and fifty cents each, for every day necessarily employed. Pay.

SECTION 3. That the said commissioners shall, with as little delay as possible after said survey, make out their drafts of said road as located, whereon shall be noted the courses and distances, the crossing of streams, of county and township lines, one of which shall be forwarded by mail to the secretary of the commonwealth, and one to be filed in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass; which clerks are hereby authorized, on the filing of said drafts, to issue an order on the supervisors of each township in their respective counties, for the immediate opening of said road; the expenses of which orders are to be borne by the respective counties, in proportion to the number of days employed in each; and from the time of such filing, as last stated, the said road shall be, to all intents and purposes, a public highway. Drafts.

SECTION 4. That it shall be the duty of the supervisors of the several townships, in the counties through which the said road authorized to be laid out by the foregoing sections of the act aforesaid shall pass, upon twenty days' previous notice being given, to proceed to open and make said road as other roads are opened and made, and on failing to comply, the said supervisors, or any of them, shall forfeit and pay a fine of not less than fifty dollars, to be collected as other fines are collected without stay of execution; and such fines shall be appropriated to the use of said road. Road to be opened.

SECTION 5. That the commissioners appointed by and in pursuance of this act, shall have power to vacate any road, or parts of roads, which may be rendered useless by the location of the road hereby authorized. May vacate roads

SECTION 6. That the accounts of said road commissioners, for their own pay and that of the chain carriers and axeman, shall be adjusted by the county commissioners of the counties through which the said road may pass, and paid out of the treasuries of the same, according to the time actually required to locate the road within the respective counties. Expenses, how paid.

SECTION 7. That the said commissioners shall meet at Claysville, Washington county, on or before the first day of July, one thousand eight hundred and fifty-seven, or as soon thereafter as practicable, and proceed to perform the duties aforesaid; and if any vacancy or vacancies occur by resignation or otherwise, the remaining commissioners shall supply the same by the appoint- Meeting.



ment of a suitable person, who shall perform the duties aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 604.

AN ACT

To lay out a State Road in Armstrong and Clarion Counties.

Commissioners.

Route.

Duties.

Pay.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas M'Collough, of Armstrong county, and R. D. Lawson and John Klingensmith, of Clarion county, be and the same are hereby appointed commissioners to view, lay out and mark a state road beginning at Middlesex, in Armstrong county; thence by the best route to the mouth of Red Bank; thence by the best route to New Athens; thence to Rimersburg, in Clarion county.

SECTION 2. That it shall be the duty of said commissioners or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground, or the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners, or a majority of them, are hereby enjoined to employ one surveyor at a per diem allowance not exceeding three dollars, two chain carriers at a per diem allowance not exceeding one dollar and fifty cents each, and the said commissioners respectively, shall receive a per diem allowance not exceeding two dollars for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county.

SECTION 3. That it shall be the duty of said commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation; one copy whereof to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of January next, and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty feet, and at a grade of three degrees, if practicable, and not to exceed five degrees from a horizontal plane, and be repaired as all other roads laid out by the courts are made and repaired. Drafts.

SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of the said road; and if any vacancy occur in their number by death, resignation or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting suitable person or persons to constitute a board of at least three members. Vacancies.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road shall pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions. Opening of road.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 605.

## A SUPPLEMENT

To an act passed the fifteenth day of April, one thousand eight hundred and fifty-six, to lay out a State road from Pinegrove, in Mercer county, via Centreville, to the nearest station on the North Western railroad, in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Findley, Adam Black, Ephraim Galbreith are hereby authorized and required to review that portion of the state road location leading from Pinegrove to Centreville, which lies between Pinegrove and the M'Nease farm; the said viewers to re-

ceive the same compensation per diem and be subject to the same requirements as the original viewers were, and the commissioners of the county of Mercer are hereby required to pay the costs incurred in making said view and returns; and said viewers are hereby empowered, if they find a change necessary, to vacate any portion of the former location and to re-locate the same and make return of the same on or before the first day of September next.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 606.

## A N A C T

Appointing Commissioners to lay out and open a State road in the counties of M'Kean and Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alonzo J. Wilcox, Jasper Marsh and Samuel L. Casey are hereby appointed commissioners for the purpose of laying out, opening and making a state road commencing in Lafayette township, in M'Kean county, at a point on the state road leading from Smethport to Warren, where said commissioners may select, to Buena Vista, in Elk county: *Provided,* That the powers and authority hereby given to said commissioners shall continue for five years and no longer.

SECTION 2. That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of the counties of M'Kean and Elk; and when so filed, said draft and record shall be legal evidence in all things relating to the same, and said road from thence is hereby declared to be a public road in the same manner as other roads laid out and opened by the proper township officers.

SECTION 3. That said commissioners shall have power to levy and assess a tax on the unseated assessed property in the townships through which said road shall pass, for the year one thou-

Commissioners.

Route.

Draft.

Tax.

sand eight hundred and fifty-seven, and yearly thereafter for the term of five years, not exceeding five mills on the dollar in any one year, according to the valuation for county rates and levies, which tax shall be assessed and collected in the same manner as the supervisors in said counties are authorized to do by law.

SECTION 4. That any two of the said commissioners shall be deemed a quorum and sufficient to do anything authorized to be done by this act; and in case of the death, resignation or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of M'Kean county shall appoint a person or persons to supply the vacancy, who shall give a bond as required in the seventh section of this act.

SECTION 5. That said commissioners shall annually settle their accounts with the auditors of the county of M'Kean, and shall be allowed a reasonable compensation, not to exceed one dollar and fifty cents each per day, for the time they shall be engaged in laying out, opening and making said road.

SECTION 6. That the commissioners of the county of M'Kean are hereby authorized and required to pay to said commissioners one half the sum necessary to defray the expenses of locating said road, out of the county funds, by orders drawn on the county treasurer, and that the commissioners of Elk county are hereby authorized and required to pay to the aforesaid commissioners, one-half the sum necessary to defray the expenses of locating said road out of the county funds, by orders drawn on the county treasurer.

SECTION 7. That the said commissioners before entering upon the duties of their office shall give bond in the sum of one thousand dollars, with at least one surety conditioned for the faithful application of all moneys received by them and for the faithful discharge of the duties of their office, which bond shall be approved by the court of quarter sessions of M'Kean county, or by one of the judges of said county, and be noted upon the docket and filed among the records of said court.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 607.

## AN ACT

To incorporate the Loudon Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners. Hezekiah Easton, John Mullen, Joseph H. M'Clintic, John Beaver, Peter Stenger, William M'Grath, Jonathan Wright, Casper Mentz, Samuel Burgess and H. C. Keyser, be and they are hereby appointed commissioners, and they or a majority of them are hereby authorized to carry into effect the establishment of a water company, to be located in the town of Loudon, in the county of Franklin, with a capital stock of five thousand dollars, to be divided into shares of ten dollars each, to be organized, managed and governed as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, together with all the rights and privileges contained in said act.

Capital.

Subject to.

Powers. SECTION 2. That the said company shall have power to lease, purchase or acquire the water works now in operation in the said town of Loudon, together with all the water pipes, stocks, reservoirs and fixtures, on procuring from the present owners release of their respective interests in and to the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 608.

## AN ACT

To incorporate the Independence Fire Engine Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



all and every the persons who shall at the time of the passage of this act be members of the association called the Independence fire engine company of the city of Philadelphia, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Independence fire engine company of Philadelphia, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels of what nature, kind or quality soever, real, personal or mixed, and the same from time to time to sell, grant, devise, alien or dispose of: *Provided*, That the clear yearly value or income of the necessary houses, lands and tenements, rents and annuities, or other hereditaments and real estate of the said corporation, and the interest of the money by it lent, shall not exceed the sum of two thousand five hundred dollars, and also make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation, and the due management and ordering of the affairs thereof.

SECTION 2. That the object of the said corporation shall be the promotion of the general good by the extinguishment of fires.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 609.

## AN ACT

To authorize the Stockholders of the West Chester and Philadelphia Railroad Company to make payment upon their Mortgages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the property of the West Chester and Philadelphia railroad company shall have been sold under any mortgage given by said company, or by any judicial process or order whatever, it shall and may be lawful for each and every stockholder of said company, at any time within three months after such sale shall have been made and confirmed, to pay and secure to be paid to the purchaser or purchasers of the said property, or to the mortgagee for the use of the said purchaser or purchasers, under and according to the conditions of sale, a sum equal to such proportion of the purchase money or price paid on such sale, and the costs and expenses thereof, as such stockholder's stock in said company shall bear to the whole capital stock of the said company, and in so paying such stockholders shall be entitled to have the same relative amount of stock or interest in the said property or railroad and its franchises, and shall therefore become a body politic and corporate, under the name of the West Chester and Philadelphia railroad company, and as such shall be entitled to and succeed to all the estates, and rights and privileges of said company.

SECTION 2. That in case of a sale as aforesaid, each and every creditor of said railroad company whose claim is not secured by mortgage against said road, shall at any time have the right to convert his just and legal claim into the stock of the company at par, and avail himself of the provisions of this act as fully and amply as any other stockholder in said company: *Provided,* That this act shall be approved and accepted by a majority of the votes of the stockholders, at a special meeting to be called in conformity to and under the provisions of the charter of the company, within three months from the passage thereof.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 610.

## A N A C T

To provide for the ordinary expenses of Government, the repairs of Public Canals and Railroads, and other general and special Appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, one thousand eight hundred and fifty-seven, to be paid out of any money in the treasury not otherwise appropriated. Appropriations.

SECTION 2. For the salary of the governor of the commonwealth, three thousand five hundred dollars. Salary of governor and heads of departments.

For the salary of the secretary of the commonwealth, seven hundred dollars, and for the salary of the superintendent of common schools, fourteen hundred dollars.

For the salary of the deputy secretary of the commonwealth, fourteen hundred dollars.

For the salary of the auditor general, including his compensation as commissioner of the sinking fund, seventeen hundred dollars.

For the salary of the surveyor general, fourteen hundred dollars.

For the salary of the attorney general, three thousand dollars.

For the salary of the adjutant general, three hundred dollars.

For the salary of the state treasurer, including his compensation as commissioner of the sinking fund, seventeen hundred dollars.

For clerk hire in the state department, five thousand dollars. Clerk hire in departments.

For clerk hire in the auditor general's office, eight thousand dollars.

For clerk hire in the state treasurer's office, five thousand five hundred dollars.

For clerk hire in the surveyor general's office, seven thousand six hundred dollars. Also the further sum of six hundred dollars, or so much thereof as may be necessary, for extra clerk hire in copying defaced surveys.

For the salary of the state librarian, eight hundred dollars. State Librarian.

SECTION 3. For the payment of the contingent expenses of the executive, state and school departments, to wit:

For stationery, five hundred and fifty dollars; for postage and telegraph despatches, one thousand eight hundred dollars. Contingent expenses of executive, state and school departments.

For the payment of messengers, nine hundred and fifty dollars; for fuel and light, one hundred dollars; for cleaning offices, thirty-five dollars; for blank books, fifty dollars; for miscellaneous expenses in the secretary's office, fifty dollars; for paint-

ing, white washing, alterations and repairs of the state department, two hundred and fifty dollars.

Auditor general's office.

SECTION 4. For the payment of the contingent expenses of the auditor general's office, to wit :

For postage and telegraphic despatches, five hundred dollars ; for the pay of messenger, five hundred dollars ; for stationery, three hundred and fifty dollars ; for fuel, seventy-five dollars ; for miscellaneous expenses, seventy-five dollars.

State treasury.

SECTION 5. For the payment of the contingent expenses of the state treasurer's office, to wit :

For postage and telegraphic despatches, four hundred and seventy-five dollars ; for stationery and blank books, two hundred and fifty dollars ; for fuel and light, seventy-five dollars ; for messenger and night watch, five hundred and fifty dollars ; for miscellaneous expenses, one hundred and fifty dollars.

Surveyor general's office.

SECTION 6. For the payment of the contingent expenses of the surveyor general's office, to wit :

For the payment of messenger, five hundred dollars ; for postage and telegraphic despatches, five hundred dollars ; for stationery and blank books, two hundred dollars ; for fuel, seventy-five dollars ; for miscellaneous expenses, forty dollars ; washing and scrubbing, forty dollars ; repairs, fifty dollars ; and to pay deficiency for year ending first June, one thousand eight hundred and fifty-seven, for stationery, fifty dollars ; postage, twenty-five dollars.

Legislature.

SECTION 7. For the payment of the expenses of the legislature, including the pay and mileage of the members, clerks and officers thereof, and the amount authorized by the eleventh section of the act passed the seventh day of May, Anno Domini, one thousand eight hundred and fifty-five, for stationery, newspapers and light, the sum of one hundred and seven thousand dollars.

Distributing laws.

SECTION 8. For packing and distributing the laws and journals of the legislature, seven hundred dollars, to be performed under the direction of the secretary of the commonwealth.

Printing.

SECTION 9. For the public printing, folding, stitching and binding, thirty thousand dollars, or so much thereof as may be necessary on the settlement of the account of the contractor, under his contract, entered into in pursuance of the act approved on the ninth day of April, one thousand eight hundred and fifty-six, entitled "An Act in relation to public printing."

Miscellaneous.

SECTION 10. For miscellaneous expenses, three thousand dollars, to be accounted for in the usual manner.

Water and gas for public buildings.

SECTION 11. For payment to the borough of Harrisburg, for supplying the public buildings with water, as per act of the twenty-eighth day of April, eighteen hundred and forty, six hundred dollars ; for payment to the Harrisburg gas company, for furnishing gas for the public buildings and walks, two thousand dollars, if so much shall be found due by the auditor general, under the contract, to be paid on the warrant of the governor, under the contract with the company, in pursuance of the act incorporating said company, and its supplements. Also, the sum of two hundred and forty-eight dollars and eighty-six cents, is hereby appropriated to pay the balance due the said gas company, in full, to twelfth May, one thousand eight hundred fifty-six.



SECTION 12. For the support of the common schools, two hundred and fifty thousand dollars, to be paid on warrants drawn by the superintendent, in favor of the accepting school districts of the commonwealth, in proportion to the number of taxable inhabitants in each, after deducting clerk hire and necessary contingent expenses of the school department, to be accounted for in the usual manner; and that a further sum of thirty thousand dollars, be and the same is hereby appropriated for the support of said common schools: *Provided*, That the basis of distribution of the said sum, shall be the ratio of taxables of the several counties respectively, of the next preceding year; and the proportion to which the city and county of Philadelphia shall be so entitled, shall not be made to contribute to the expenses or salaries of the county superintendents of the other counties. Common schools.

SECTION 13. For the payment of pensions and gratuities, fifteen thousand dollars, or so much thereof as may be necessary. Pensions.

SECTION 14. For the payment of the salaries and per diem allowance of the judges of the supreme court, eighteen thousand seven hundred dollars. Supreme court.

SECTION 15. For the payment of the salaries of the judges of the district court, and the president and associate law judges of the court of common pleas of the city of Philadelphia, sixteen thousand eight hundred dollars. Judges Philadelphia city.

SECTION 16. For the payment of the salaries of the judges of the district court and president judge of the common pleas of Allegheny county, seven thousand five hundred dollars. Judges Allegheny county.

SECTION 17. For the payment of the salaries and mileage of the president judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia and the county of Allegheny, fifty-two thousand seven hundred dollars. Judges common pleas.

SECTION 18. For the payment of the salaries and mileage of the associate judges of the several courts in this commonwealth, sixteen thousand five hundred dollars. Associate judges.

SECTION 19. For the payment of the interest on the funded debt of the commonwealth, that will fall due on the first days of July and August next, and the first days of January and February, one thousand eight hundred and fifty-eight, two millions of dollars, or so much thereof as may be necessary; and the state treasurer is hereby authorized, if it shall be necessary for the purposes of paying the interest on the said debt, falling due on the first day of August next, to negotiate a temporary loan not exceeding three hundred thousand dollars, on the same terms and conditions as was provided by the several sections of an act to provide for the ordinary expenses of government, the repairs of the canals and railroads of the state, and the payment of other claims against the commonwealth, passed the eleventh day of April, one thousand eight hundred and forty-eight. Interest on state debt. Temporary loan.

SECTION 20. For the payment of the guaranty of interest for the Danville and Pottsville railroad company, by the act of the eighth of April, one thousand eight hundred and thirty-four, and the act of the twelfth of April, one thousand eight hundred and fifty-one, eight thousand five hundred and seventeen dollars and seventeen cents, being the interest in full on said guaranty, up to the first day of August, one thousand eight hundred and fifty-seven; to the Bald Eagle and Spring Creek navigation company, Guarantied interest.



by the act of seventh of April, one thousand eight hundred and thirty-five, ten thousand dollars; for the payment of the guaranty for the Tioga navigation company, as provided by the sixth section of the act of sixth of April, one thousand eight hundred and fifty, the sum of two thousand five hundred dollars, being the last payment for which the commonwealth is liable under said act.

Ordinary repairs.

SECTION 21. For the ordinary repairs and improvements of the canals and railroads belonging to the commonwealth, for the year ending the thirtieth day of November, one thousand eight hundred and fifty-seven, the sum of two hundred and eighty-three thousand and sixty-two dollars, in addition to the sum of two hundred and twenty-five thousand dollars, appropriated by the act of the thirteenth of May, one thousand eight hundred and fifty-six, for ordinary repairs after the first day of December, one thousand eight hundred and fifty-six, to be appropriated as follows:

For the Philadelphia and Columbia railroad, sixty-three thousand two hundred and twelve dollars.

For the Allegheny Portage railroad, sixteen thousand five hundred dollars.

For the Eastern division of the Pennsylvania canal, twenty-two thousand dollars.

For the Lower Juniata division, fourteen thousand four hundred dollars.

For the Upper Juniata division, twenty-seven thousand two hundred dollars.

For the Upper Western division, fourteen thousand dollars.

For the Lower Western division, fifteen thousand seven hundred dollars.

For the Delaware division, twenty-four thousand dollars.

For the Susquehanna division, seventeen thousand dollars.

For the West Branch division, twenty-four thousand four hundred dollars; and for the repairs of the Lewisburg cross-cut and dam, eleven thousand dollars.

For the Lower North Branch division, thirty-three thousand six hundred and fifty dollars.

Ordinary repairs  
after Dec. 1, 1857.

SECTION 22. For ordinary repairs to be made after the first day of December, one thousand eight hundred and fifty-seven, two hundred and twenty-five thousand dollars; no part whereof shall be expended before the said first day of December, except so much of the same as may be necessary for the purchase and preparation of materials for executing repairs after that time.

Motive power.

SECTION 23. For the expenses of motive power for the year ending the thirtieth day of November, one thousand eight hundred and fifty-seven, four hundred and eighty-five thousand seven hundred dollars, in addition to the sum of one hundred thousand dollars, appropriated by the act of the thirteenth day of May, one thousand eight hundred and fifty-six, to be appropriated as follows:

For the Philadelphia and Columbia railroad, including the purchase of six new locomotive engines, three hundred and ninety-five thousand seven hundred dollars.

For the Allegheny Portage railroad, ninety thousand dollars.

SECTION 24. For motive power expenses from and after the first day of December, one thousand eight hundred and fifty-seven, one hundred thousand dollars, to be appropriated as follows: Motive power after Dec. 1, 1857.

For the Philadelphia and Columbia railroad, eighty thousand dollars.

For the Allegheny Portage railroad, twenty thousand dollars.

SECTION 25. For the payment of collectors, weigh-masters and inspectors, and for the incidental expenses of their offices until the first day of April, one thousand eight hundred and fifty-eight, fifty-three thousand dollars. Collectors, &c.

SECTION 26. For the payment of lock-keepers, until the first of April, one thousand eight hundred and fifty-eight, fifty-three thousand two hundred and fourteen dollars. Lock-keepers.

SECTION 27. For the payment of the Pennsylvania railroad company, for the use of a portion of their road under an article of agreement, dated the eighteenth of March, one thousand eight hundred and fifty-four, twelve thousand five hundred dollars. Pennsylvania railroad company

SECTION 28. For the payment of the canal commissioners, and the expenses attendant upon their office, six thousand nine hundred and ninety-five dollars, to be appropriated as follows, viz: Canal commissioners and expenses of office.

Compensation of canal commissioners, four thousand three hundred and eighty dollars; salary of secretary of board, one thousand four hundred dollars; extra clerk hire, three hundred dollars; payment of messenger, four hundred dollars; postage, two hundred and sixty-five dollars; stationery and advertising, one hundred and fifty dollars; cleansing, repairing of office and miscellaneous expenses, one hundred dollars. The annual salary of the secretary of the board of canal commissioners, shall be one thousand four hundred dollars.

SECTION 29. For the repairs and re-building of road and farm bridges on the several lines of canal and railroads, sixteen thousand dollars. Road and farm bridges.

SECTION 30. For the salary of state engineer, three thousand dollars. State engineer.

For furniture for room for state engineer, postage, et cetera, one hundred and twenty-five dollars.

SECTION 31. For payments of debts for repairs beyond the appropriations for the year one thousand eight hundred and fifty-six, contracted with the consent of the board of canal commissioners, in pursuance of the act of the thirteenth of May, one thousand eight hundred and fifty-six, nine thousand three hundred and seventy dollars and ninety-one cents, to be appropriated as follows: Debts for repairs in 1856.

For the Lower Western division, one thousand five hundred and sixty-two dollars and thirty cents.

For the Susquehanna division, seven thousand eight hundred and eight dollars and sixty-one cents.

SECTION 32. For completing the re-laying of the south track of the Philadelphia and Columbia railroad, nine thousand three hundred and thirty-eight dollars and ninety-two cents, being the unexpended balance of the amount appropriated for repairs of said road, for the year one thousand eight hundred and fifty-six. Columbia railroad.

- Nanticoke dam. SECTION 33. For the completion of the out-let lock into the pool of the Nanticoke dam, on the Lower North Branch division, five thousand six hundred and seventy-five dollars.
- Debts on Portage railroad. SECTION 34. For the payment of debts due for the completion of the road to avoid the inclined planes on the Allegheny Portage railroad, forty thousand three hundred and eight dollars and twenty-two cents.
- North Branch canal. SECTION 35. For passing water through and completion of the Upper North Branch canal, and for the repair of the same during the year ending the thirtieth of November, one thousand eight hundred and fifty-seven, eighty-one thousand dollars, in addition to the sum of eighteen thousand dollars, set apart for those purposes out of the appropriation for winter repairs, made by the act of the thirteenth of May, one thousand eight hundred and fifty-six, to be paid on the warrant of William R. Maffet, superintendent of said canal, and at such times as the interest of the public service may require; but before any part of this appropriation said be paid, the said William R. Maffet shall give a bond to the commonwealth, with not less than two sufficient sureties, in the sum of fifty thousand dollars, conditioned for the faithful application of the aforesaid appropriation; which bond shall be approved by the governor, and filed in the office of the auditor general: Also a sum not exceeding five hundred dollars, for removing and re-constructing a bridge on the farm of S. C. Hovey, in Ulster township, Bradford county.
- Enlargement of Delaware division. SECTION 36. For the enlargement of the Delaware division of the Pennsylvania canal, fifty thousand dollars, to be expended in raising the banks and mechanical structures, so as to admit of six feet of water; said enlargement to be made by excavations from the bottom and sides of said canal, if sufficient material can thus be obtained: *Provided*, That the supervisor of the said Delaware division shall act as disbursing officer of the funds appropriated for the enlargement of said canal, for which he shall receive such compensation as the canal commissioners may think reasonable; and said commissioners shall require sufficient surety for the faithful application of such funds, and duly account therefor.
- Extraordinary repairs. SECTION 37. For the repairs of any damages that may be done to any portion of the public works by breaches or fire, the sum of seventy-five thousand dollars: *Provided*, That before any part of the said sum shall be drawn from the state treasury, the canal commissioners shall certify to the state treasurer and auditor general the nature and extent of such damages, and the amount deemed necessary to be drawn from the treasury to meet the expenses of repairing such damages; and if the auditor general and state treasurer concur in the opinion as to the necessity of making such repairs before the commencement of the next session of the legislature, the amount required for such purpose, not exceeding the sum hereby appropriated, may be advanced to the proper disbursing officers.
- Appropriations, how paid out by treasurer. SECTION 38. That the appropriations by this act made applicable for the repairs and motive power expenses on the canals and railroads belonging to the commonwealth, except as hereinbefore provided for the Upper North Branch canal, and for the payment of debts on any of the lines of the public works, may

be paid by the state treasurer on the presentation of the required vouchers, and the usual warrant of the board of canal commissioners, and at such times, after the passage of this act, as the interests of the public service may require, keeping in view the different sections of the works.

SECTION 39. For the payment of the claims certified by the commissioners appointed in pursuance of the twenty-ninth section of the act of ninth of May, one thousand eight hundred and fifty-four, and in accordance with the recommendation of the state treasurer, auditor general and attorney general, in their report to the legislature, including the claim of John Crouse, the sum of four thousand seven hundred and one dollars.

Old claims on  
Portage railroad.

SECTION 40. The canal commissioners are hereby authorized to examine the claims against the commonwealth at the time the appointment of John Ross, late superintendent of the Allegheny Portage railroad, expired, and which were contracted after the report of the commissioners appointed in pursuance of an act to provide for the ordinary expenses of government, &c., approved the ninth day of May, one thousand eight hundred and fifty-four, was made, and not reported by him to the canal commissioners; also the debts contracted by J. M. Orr, late supervisor of the Lower Western division, J. D. Leet, late supervisor of the Upper Juniata division, J. B. M'Micken, late supervisor of the West Branch division, William S. Calohan, late supervisor of the Allegheny Portage railroad, and reported by them to the canal commissioners; also, the claims contracted by W. W. Wilson, late supervisor of the Lower Juniata division: *Provided*, The debts contracted by said Wilson shall not exceed four hundred dollars; and for such of said claims as shall after such examination be found just, and contracted for the benefit of the commonwealth, the canal commissioners shall certify the amount of such claims, and to whom payable, which certificates the state treasurer is hereby authorized to pay on presentation to him; and the auditor general is hereby authorized to examine the claims against the commonwealth, contracted by William R. Maffet, superintendent of the Upper North Branch canal, and for any moneys necessarily advanced by him, with interest thereon; and for such of said claims as shall after examination be found just and for the benefit of the commonwealth, the auditor general shall certify the amount of such claims, and to whom payable, which certificates the state treasurer is hereby authorized to pay on presentation to him.

Canal commis-  
sioners to ex-  
amine certain  
claims.

SECTION 41. For the payment of the salaries of the officers of the Western penitentiary, nine thousand six hundred and seventy-two dollars; also, the further sum of five thousand eight hundred and seventy dollars for the erection of new engine room and purchase of new boilers, to be drawn by the treasurer on the order of the inspectors of the Western penitentiary, and expended under their direction.

Western peniten-  
tiary.

For pointing with a proper composition the buildings of the Western penitentiary, the sum of four hundred dollars.

For the payment of the salaries of the officers of the Eastern penitentiary, nine thousand two hundred dollars. For curbing and paving Corinthian avenue, two thousand dollars. For repairing old cells, three thousand dollars: *Provided*, That the salaries

Eastern peniten-  
tiary.



to be paid to said officers, shall be fixed by the respective boards of inspectors, who shall annually make report to the legislature of the number of officers employed, and the amount paid to each.

House of refuge  
Philadelphia.

SECTION 42. For the house of refuge of Philadelphia, the sum of thirty-five thousand dollars; twenty thousand dollars of which to be applied to the payment of the debts, and fifteen thousand dollars to the support of the institution.

House of refuge  
Pittsburg.

For the house of refuge for western Pennsylvania, in the county of Allegheny, twenty-five thousand dollars, to be applied as follows: Eighteen thousand for debts and building purposes, and seven thousand for the support of the institution.

Western Penn-  
sylvania hospital

For the support of the Western Pennsylvania hospital, five thousand dollars.

Blind.

For the Pennsylvania institute for the instruction of the blind, twenty-two thousand dollars.

Deaf and dumb.

For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, twenty thousand dollars: *Provided*, That the sums appropriated for the instruction of the blind, and deaf and dumb, shall be paid to said institutions in proportion to the number of indigent pupils received by each from the several counties of this commonwealth, at the rates prescribed by law, evidence of the number of pupils to be furnished to the state treasurer.

Idiotic and fee-  
ble minded chil-  
dren.

SECTION 43. The state treasurer is hereby authorized to pay to the treasurer of the Pennsylvania training school for idiotic and feeble minded children, such amount as said institution may be entitled to receive under the provisions of the tenth section of the act incorporating said school, passed seventeenth of April, one thousand eight hundred and fifty-three.

Adjutant general  
visiting arsenals.

SECTION 44. For the payment of the adjutant general for visiting the arsenals of the commonwealth, as directed by the act of the seventh of April, one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia of this commonwealth," two hundred and fifty dollars.

Superintendent  
of printing.

SECTION 45. For the payment of the salary of the superintendent of public printing, eight hundred dollars.

State lunatic  
hospital.

SECTION 46. For the Pennsylvania State Lunatic hospital, the sum of twenty-eight thousand dollars, to be applied to the payment of salaries of the officers, for the maintenance of the house, to make up deficiencies in the appropriation, for erecting new water works, for unavoidable repairs to the buildings and fixtures, and for new furniture.

State library.

SECTION 47. For miscellaneous expenses of the state library, for white washing, scrubbing, making fires, freight on books, postage, stationery, expenses for purchasing books, et cetera, two hundred and fifty dollars; for binding and lettering books, one hundred dollars; for purchasing law books, one thousand dollars, miscellaneous books, seven hundred and fifty dollars; for purchasing ninety-three volumes of Pennsylvania State Reports, to exchange for the reports of other states, three hundred and twenty-five dollars and fifty cents; for assistant in the library, fifty dollars.

George Bergner  
and company.

SECTION 48. The state treasurer is hereby authorized to pay George Bergner and company, for the publication of the Legislative Record such sums as may be coming to them, under con-



tract with the joint committee of the Senate and House of Representatives, dated the ninth day of January, one thousand eight hundred and fifty-seven, after deducting the sum of one thousand dollars already appropriated, and the state treasurer is hereby authorized to pay the balance that may be due on the certificate of the committee on printing of the two houses fixing the amount.

SECTION 49. The state treasurer is hereby authorized and required to pay John A. Smull, for services rendered the House of Representatives, the same compensation now allowed by law to a transcribing clerk. John A. Smull.

SECTION 50. The state treasurer is authorized to pay to the clerk of each house, the amounts necessary to pay the pages thereof for their services, at the rate of one dollar per day each. Pages.

SECTION 51. The state treasurer is hereby authorized to pay the assistants of the sergeant-at-arms, messenger and door-keeper of the House of Representatives now employed, from the commencement of the present session, at the rate fixed by the act of the seventh day of May, one thousand eight hundred and fifty-five. Officers of House of Representatives.

SECTION 52. For the payment to Henry Wagner, in full for damages sustained by him by passing the gas pipes, leading to the State Lunatic hospital, through his farm, as per award made by the auditor general and state treasurer, made in pursuance of the act of eighteenth of April, one thousand eight hundred and fifty-five, one hundred dollars. Henry Wagner.

SECTION 53. For the Hope fire company and the Citizens' engine and hose company, of the borough of Harrisburg, to enable them to purchase necessary apparatus, the sum of one hundred and fifty dollars each. Fire companies.

SECTION 54. For the payment to Edward Chapple, in full for putting locks on state arsenal, cleaning the same, and attending arsenal seven weeks, twenty dollars. Edward Chapple

SECTION 55. For the payment of work done in arranging the room for the post office of the House of Representatives, two hundred dollars, or so much thereof as may be necessary, the amount of which shall be first settled by the clerk of the house. Post office House of Representatives.

SECTION 56. The auditor general is hereby authorized to credit J. B. Baker, superintendent of the Philadelphia and Columbia railroad, in the settlement of his account, with the sum of twelve thousand and four dollars and twenty-four cents, being the amount on deposit to his credit as superintendent, in the Lancaster Bank, at the time it suspended payment: *Provided*, That said deposit shall be transferred to the commonwealth before such credit shall be allowed. Credit allowed J. B. Baker, superintendent of Columbia railroad.

SECTION 57. For the preservation and repairs of the capitol and improvement of the public grounds, the sum of six thousand dollars, to be applied under the direction of the secretary of the commonwealth and auditor general. Capitol and grounds.

For the pay of the superintendent and watchman of the public buildings and grounds, two dollars and fifty cents a day, for and during the period of his appointment, to be paid out of the aforesaid appropriation. Pay of superintendent and watchman.

SECTION 58. For the payment to A. K. Fahnestock, late superintendent of footways of the public grounds, the sum of thirty-

seven dollars, the amount of error in the settlement of his account by the auditor general, for brick furnished by him.

**Tonnage agents.** SECTION 59. For the payment of the salaries of tonnage agents, in full for their compensation to June first, eighteen hundred and fifty-seven, twenty-four hundred dollars; and that from and after the first day of June next, the salary of said agents shall be three hundred dollars per annum each.

**Bridge under Columbia railroad.** SECTION 60. For the construction of a bridge at the first road crossing the Philadelphia and Columbia railroad east of Parkesburg, to enable the West Chester road and the road leading to Cochranville, to pass under the railroad, two thousand dollars.

**Washwomen.** SECTION 61. That the clerks of the Senate and House of Representatives be authorized to pay the women employed by them for cleaning the halls of the two houses, each twenty-five dollars, in addition to their usual compensation; and to Matthias Hutman, for services rendered at the present session of the Senate, the sum of twenty-five dollars.

**Matthias Hutman.** SECTION 62. For the payment of E. R. Brady, for copying for the committee of ways and means, twenty dollars.

**E. R. Brady.** SECTION 63. That the sum of two hundred dollars be allowed to John A. Smull, in addition to the payment allowed him, for services during the recess.

**John A. Smull.** SECTION 64. For the contingent expenses of the House of Representatives, to be drawn and expended in the manner provided by the act approved the twentieth day of March, one thousand eight hundred and fifty-seven, ten thousand dollars.

**Contingent expenses House of Representatives.** For the contingent expenses of the Senate, to be drawn and expended in the manner provided by the act approved the twentieth day of March, one thousand eight hundred and fifty-seven, the sum of eight thousand dollars, to be paid by the state treasurer, upon the requisition of the clerks of the respective houses: *Provided*, That before any portion of said amounts shall be paid to said clerks, they shall file bonds in the auditor general's office, with security, to be approved by the speakers of the respective houses, in double the amount of their present bonds, conditioned for the faithful discharge of their duties, and for the proper application and disbursement of said contingent fund.

**Contingent expenses of Senate.** SECTION 65. That the state treasurer is hereby authorized to refund to James Gardner, the sum of one hundred and fifty dollars, being the amount paid by him to T. G. Punroy, superintendent, for stone blocks at the foot of the plane number ten; also, for a house at same place, sold to him by the superintendent, the possession of which was not given to him.

**James Gardner.** SECTION 66. For the payment of the auditor general, state treasurer and attorney general, commissioners appointed to examine the claims against the commonwealth, by the act approved the twenty-second day of May, one thousand eight hundred and fifty-six, twelve hundred dollars.

**Commissioners of claims.** SECTION 67. For the payment to David Gardner, late keeper of the arsenal at Harrisburg, in full for extra compensation, in taking possession of the public property removed from Philadelphia, one hundred dollars; and the further sum of one hundred dollars to Ebenezer Ward, the present incumbent.

**David Gardner.** SECTION 68. That the state treasurer is hereby authorized to pay William M'Abec and William P. Brady, each seventy-five

**E. Ward.**  
**W. P. Brady.**  
**W. M'Abec.**

dollars, for filing copies of the Legislative Record, and for services to be performed after the adjournment; and the state treasurer is authorized to pay George Manly the pay of an assistant door-keeper, from the seventeenth of March till the end of the session, his employment being rendered necessary, in consequence of the sickness of one of the assistant door-keepers.

Geo. Manly.

SECTION 69. That the state treasurer is hereby authorized to pay the officers of the Senate and House of Representatives, except the speakers, fifty dollars each extra pay for services during the present session of the legislature, and to the chief clerks of the Senate and House of Representatives, the further sum of one hundred and twenty-five dollars each, for the payment of expenses of indexing the journals.

Officers of legislature.

SECTION 70. For the payment of the principal of the funded debt, which became due on and previous to the first day of December, one thousand eight hundred and fifty, eight thousand one hundred and twelve dollars and fifty-one cents.

State debt due in 1850.

For the payment of interest certificates, twenty-four thousand six hundred and ninety-one dollars and thirty-seven cents; and the provisions of the ninety-second, ninety-third, ninety-fourth, ninety-fifth and ninety-sixth sections of the act of nineteenth April, one thousand eight hundred and fifty-three, entitled "An Act to provide for the ordinary expenses of government, et cetera," are hereby extended during the years one thousand eight hundred and fifty-seven, and one thousand eight hundred and fifty-eight.

Interest certificates.

SECTION 71. That the state treasurer is hereby authorized to pay the trustees of the Pennsylvania training school for idiotic and feeble-minded children, to enable said trustees to erect suitable buildings for the accommodation of the pupils in said institution, twenty thousand dollars.

Idiotic and feeble-minded children.

SECTION 72. For the payment to A. W. Watson, for painting new iron fence on North from Third to Fourth streets, one hundred and thirty-five dollars and fifty cents.

A. W. Watson.

SECTION 73. That after the expiration of the term of the present governor, the salary of the governor of this commonwealth shall be four thousand dollars per annum, and all laws inconsistent herewith are hereby repealed.

Salary of governor raised.

SECTION 74. For boxes, and packing Colonial Records and Pennsylvania Archives, to be sent to libraries and other states, the sum of two hundred dollars, or as much thereof as shall be necessary.

Boxing records, &c.

SECTION 75. That the clerks appointed according to the seventeenth section of the act approved May seventh, one thousand eight hundred and fifty-five, shall be allowed the same rate of mileage as other officers of the legislature, and the same rate of compensation as is now allowed to the transcribing clerks by said act, in proportion to the time they shall serve as such.

Clerks of legislature.

SECTION 76. For the payment of R. H. Adams, for indexing Senate journal for the session of one thousand eight hundred and fifty-six, seventy-five dollars.

R. H. Adams.

SECTION 77. For the payment of Joseph C. Coppuck, the sum of sixteen dollars and eighty-eight cents, for mileage and attendance as a witness before the finance committee of the Senate in March, one thousand eight hundred and fifty-six.

J. C. Coppuck.



Papers to be filed  
away.

SECTION 78. That the clerks of the two houses be authorized and directed to have the papers in their respective offices properly assorted and filed away, and that such compensation shall be allowed therefor, as the committees of accounts shall deem equitable and proper.

Treasurers and  
other public offi-  
cers to make  
quarterly pay-  
ments and state-  
ments

SECTION 79. That the treasurer of the city of Philadelphia, and all county and city treasurers, every recorder of deeds, register of wills, prothonotary, clerk of the court of quarter sessions and clerk of the orphans' court in the commonwealth shall, on the first Monday of July next, and quarterly thereafter, or oftener if required by the state treasurer, pay into the treasury, or such place of deposit as said state treasurer shall designate, to the credit of the commonwealth, the whole amount of money received during the period preceding said payments; and shall furnish to the state treasurer statements, under proper heads, designating the source from which the money was received; and said officers shall file and settle quarterly accounts in the office of the auditor general, as now required by law. Upon the settlement of said quarterly accounts, if it appear that the receipts shall not have been paid as directed by this section, any officer so offending, shall forfeit his fees and commissions on the whole amount of money collected during the quarter; and in every case where a balance due the commonwealth shall remain unpaid for a period of ten days after such quarterly settlement, suit shall be commenced against such delinquent and his sureties, as is provided in case of defaulting officers.

Officers on public  
works to make  
deposits.

SECTION 80. That the collectors of tolls on the public improvements at the cities of Philadelphia and Pittsburg and Lancaster, and at the boroughs of Columbia and Harrisburg, shall deposit daily, in a depository to be selected by the state treasurer, to the credit of the commonwealth, all moneys received by them on behalf of the state; and that every collector of tolls on the public improvements not hereinbefore specified shall, at the end of every month, or oftener if required by the state treasurer, pay into the state treasury, or other place of deposit to be selected as aforesaid, the whole amount of money received during that time; and it shall be the duty of every collector of tolls on the public improvements, on the first Monday of every month, to make and forward to the state treasurer a statement of the amount of money received by him during the preceding month, designating therein each day's receipts.

New bonds to be  
given by certain  
public officers.

SECTION 81. That in case any city or county treasurer or other public officer of this commonwealth, charged with the safe keeping, transfer or disbursement of public money, who has given or hereafter shall give bonds with security, for faithfully paying over or accounting for such public money, in any manner prescribed by law, and such treasurer or other public officer as aforesaid, or any of their sureties respectively, shall become insolvent or in failing circumstances, or any such sureties shall die or abscond, it shall and may be lawful in any such case for the state treasurer to require new bonds with new security, to be approved of in like manner as the original bond and sureties are now by law required to be given and approved.

SECTION 82. For the payment to George W. Hamersly, clerk of the Senate during the session of eighteen hundred and fifty-

five, eighty-one dollars and sixty-five cents, being the amount lost by deposit in the Lancaster savings institution.

SECTION 83. The sum of one hundred dollars, or as much thereof as may be necessary, is hereby appropriated for the purchase of furniture for the attorney general's office.

Attorney general's office.

SECTION 84. That the canal commissioners be and they are hereby authorized to change the location of the canal between State and Chestnut streets, in the borough of Harrisburg, if they consider the interests of the public require it, and to make a contract with the Lebanon Valley railroad company, for the payment of such part of the expense of said alteration as may be agreed upon between said company and the canal commissioners.

Canal at Harrisburg.

SECTION 85. That the power of the canal commissioners to suspend William R. Maffet, superintendent of the Upper North Branch canal, for official misconduct during the recess of the legislature, shall only apply to official misconduct committed after the approval of this act.

Power of canal commissioners to suspend Wm R Maffet.

SECTION 86. That hereafter the tax of three mills on the dollar, imposed upon real and personal estate, by the thirty-second and thirty-fourth sections of the act to reduce the state debt and to incorporate the Pennsylvania canal and railroad company, approved the twenty-ninth day of April, one thousand eight hundred and forty-four, be and the same is hereby reduced to two and a half mills on the dollar: *Provided*, That the said reduction shall not be made upon the taxes levied for the present year; and that the state treasurer be and he is hereby authorized to pay to each member of the Senate and House of Representatives, for the present session, the sum of two hundred dollars in addition to the sum already provided by law.

State tax on real and personal estate reduced.

Members of legislature entitled to \$200 extra pay

SECTION 87. That the auditor general be and he is authorized to settle the accounts of the superintendent of public grounds, for old materials disposed of by him, the proceeds of which were applied to the improvement of the public grounds.

Roofing state department.

SECTION 88. For the payment of the balance due for repairs and roofing of the state and treasury departments with permeated iron, two hundred and eighty-two dollars and sixty-one cents, to be expended under the direction of the secretary of the commonwealth.

Accounts of superintendent of public grounds to be settled.

SECTION 89. For the purchase of an iron fire-proof safe, for the office of the clerk of the supreme court of the Middle district, not exceeding two hundred dollars.

Fire proof—clerk Supreme court.

SECTION 90. That in view of the completion of the Lehigh Valley railroad, schutes or pockets become necessary at the point where it crosses the Delaware division of the Pennsylvania canal, to facilitate transshipment to the canal; it shall therefore be lawful for the said Lehigh Valley railroad company to construct at the points named, sufficient pockets to accommodate said trade; on the completion of which the president and treasurer of said company shall report under oath to the canal commissioners, the cost of the same, and the canal commissioners shall allow to the aforesaid company a drawback of twenty-five per centum on the amount of tolls paid to the commonwealth on coal which shall have passed over the railroad of the said company and shipped on the canal, until the said drawback shall amount to the sum expended for this purpose, by the said com-

Lehigh Valley railroad authorized to make certain improvements on Delaware division.



pany: *Provided*, That the amount of drawbacks to be allowed said company, shall not exceed the sum of ten thousand dollars: *And provided further*, That said schutes or pockets shall be put under the control of the state as soon as they shall be finished; and when the drawbacks amount to sufficient to pay the same, they shall become the property of the state; and that the work shall be built under the supervision of a person to be appointed by the canal commissioners, whose certificate shall accompany the statement of the company as to the amount expended for building and constructing the same.

Daniel Kissinger

SECTION 91. That the state treasurer is hereby authorized to refund to Daniel Kissinger the sum of nine dollars and eighty-nine cents, being the amount overpaid by him, as fees or tax upon writs, into the state treasury, while prothonotary of Lawrence county.

W. P. Brady allowed the pay of a transcribing clerk.

SECTION 92. That the state treasurer be and he is hereby authorized and required, in the settlement of the account of William P. Brady, to allow and pay him the same compensation that is allowed by law to a transcribing clerk; and that this section shall not prevent the allowance of the extra compensation allowed by section sixty-ninth of this act.

Expenses of publishing proposed amendments to the constitution to be paid.

SECTION 93. That the state treasurer be and is hereby authorized and required to pay, out of any money in the treasury not otherwise appropriated, the expense to be incurred for the publication of a resolution proposing amendments to the constitution of the commonwealth, approved at the present session of the legislature, and to be published under the direction of the secretary of the commonwealth, in obedience to the requirements of the tenth article of the constitution: *Provided*, That the secretary of the commonwealth shall first certify that the publication for which bills are rendered, were made under his direction and with his consent, and that all the bills so certified shall be settled by the accounting officers of the commonwealth, in the usual manner.

H. F. Thomas agent on N. C. R. R.

SECTION 94. That the auditor general be and he is hereby authorized and required to examine and settle the account of Henry F. Thomas, of York county, at present state agent on the Northern Central railroad, and draw a warrant on the state treasurer for such sum, not exceeding five hundred dollars, as may appear to be due him for salary.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 611.

## A N A C T

Relative to Sheriffs' Sales on *Levare Facias*.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where sales of lands, or any interest in real estate, have been heretofore made by virtue of a writ or writs of *levare facias*, issued on judgments obtained on mortgage, by the sheriff of the county within which such lands lay at the time of the execution and recording of such mortgage, such sale or sales shall be valid and effectual in law, to pass the interest and estate of the mortgagor or mortgagors, although prior to such sale or sales, that portion of the county where such lands lay had been erected into a separate county.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 612.

## A N A C T

Relative to the Erie City Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the Erie City Bank shall, within the period of six months from the passage of this act, well and truly resume business under the provisions of its charter and the act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and the supplements thereto, then and in that case the failure to redeem its notes and liabilities heretofore presented, or that hereafter may be presented for payment, within six months from the passage of this act, in gold and silver, shall not be held or taken to work a forfeiture of the charter of said bank; and all pro-

ceedings in court under the last mentioned act or right to commence the same, shall be suspended for the period aforesaid: *Provided*, That nothing in this act shall relieve the president and cashier from their obligations to endorse the notes of the bank when presented for payment, nor shall it relieve the officers of the bank or their bail from prosecution or liability on the account of any act of malfeasance heretofore committed or done by said officers.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 613.

## AN ACT

To incorporate the Young Men's Christian Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the members of the Young Men's Christian association of Philadelphia, and such other persons, whether minors or adults, as may hereafter become members of the same, shall be and are hereby declared to be a body politic and corporate, by the name, style and title of the Young Men's Christian association of Philadelphia, to have perpetual succession, to have power to take, hold and dispose of, for the use of the said Young Men's Christian association, any and all kinds of property, real estate, goods, chattels and sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell, and a good conveyance make for the use of the said Young Men's Christian association; to sue and be sued, contract and be contracted with, have and use a common seal, and to alter, destroy and renew the same at pleasure; and to do all other acts, and enjoy all other powers incident to similar corporations in general, under and subject to the laws of this commonwealth.

SECTION 2. That the officers of said corporation shall be such as said corporation may think necessary, and shall be elected by ballot at such times, and in such manner as the rules and by-laws of the corporation may direct: *Provided*, That no person belonging to the said Young Men's Christian association shall

Corporators.

Style.

Privileges.

Officers.

be eligible to office therein, or have the privilege of voting at any such election, other than a male member of any of the Evangelical Christian denominations that recognize, in their doctrines, the divinity of Jesus Christ, the Lord and Saviour of mankind, and a future state of eternal reward and punishment; such member being at least fourteen years of age, and under forty-five years of age: *And provided also*, That no member shall be eligible to office, until he shall have attained the full age of twenty-one years.

Votes and membership.

SECTION 3. That the members of said corporation who are, or may be entitled to vote at any election of officers, shall have full power and authority to make such rules and by-laws as shall be necessary for the government and promotion of the interests of the said corporation: *Provided*, That no rule or by-law, as aforesaid, shall be valid, if inconsistent with this act, or the constitution and laws of this state, or of the United States.

By-laws.

SECTION 4. That the present officers of the said corporation shall continue in their respective stations until an election shall be held under this act, and the rules and by-laws, now in force, shall be good and valid until altered, amended or abrogated by the corporation.

Present officers.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 614.

## AN ACT

To incorporate the Lebanon Valley Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That George Dawson Coleman, Levi Kline, Simon Cameron, George Smuller, James Young, George Gleim, Charles B. Forney, George Hoffman, John Brunner, John Harper, John George, John Light, S. S. Michael Deininger, A. P. Hibshman and Augustus Boyd are hereby appointed commissioners, and they, or a majority of them, are hereby authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Lebanon Valley Bank, to be located in the borough of Lebanon, in the county of Lebanon, with a capital of two hundred thousand dollars, to be divided into shares of fifty dollars each,

to be organized and governed as is provided by the act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and the supplements thereto, and to be subject to all the restrictions and provisions, and entitled to all the immunities contained therein: *Provided*, That the said corporation shall pay into the state treasury a bonus of one per centum upon its capital stock, within one year after the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

We do hereby certify that the bill, entitled "An act to incorporate the Lebanon Valley Bank," was presented to the governor on the twenty-ninth day of April, one thousand eight hundred and fifty-seven, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,

*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,

*Clerk of the Senate.*

HARRISBURG, May 15, 1857.

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No. 615.

## A SUPPLEMENT

To an act incorporating the Citizens' Deposit Bank of Pittsburg, approved twenty-ninth April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the name of the said bank shall be the Citizens' Bank of Pittsburg; and the president and directors of the said Citizens' Bank of Pittsburg are hereby authorized to increase the capital stock of the said bank three hundred thousand dollars over and above the sum of two hundred thousand dollars, the amount originally authorized, which new capital stock shall be divided into six thousand shares of fifty dollars each, and shall be paid in such instalments as the said corporation shall by their by-laws direct: *Provided*, That said bank shall, within one year from and after the passage of this act, pay into the treasury of the commonwealth two per centum on the amount of increase of its capital stock hereby authorized, and the additional capital stock authorized shall be divided among such of the stockholders as

Name changed.

Capital increased

Bonus.



may elect to take the same, upon sixty days' notice in at least two daily newspapers published in the county of Allegheny, in proportion to their respective shares; and if any of said increased stock shall not be taken by the said stockholders, the same shall be sold by the said bank at public sale by auction to the highest bidder, in quantities not exceeding two thousand dollars each.

SECTION 2. That the president and directors of said bank are hereby authorized to issue bank notes, payable on demand at its counter in specie, subject to all the general laws of the commonwealth in regard to the issue and redemption of bank notes: *Provided*, That no notes shall be issued until at least three hundred thousand dollars of capital stock shall have been actually paid in. May issue notes.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 616.

## A N A C T

To authorize a Deed to be made to Perfect the Title of certain Real Estate in Blair county.

WHEREAS, John Conner, of Blair county, hath sold to George B. Cramer a certain tract or parcel of land, situate in Logan township, Blair county, containing one acre, more or less:

*And whereas*, Charity Conner, the wife of the said John Conner, is now a lunatic and *non compos mentis*, and by reason thereof is incompetent to unite in the execution of a deed for the said real estate:

*And whereas*, It is intended that the proceeds of the sale of said real estate shall be applied to pay the expenses of keeping and maintaining the said Charity Conner:

*And whereas*, The said George B. Cramer is unwilling to accept a deed for the said real estate, subject to the right of the said Charity Conner to an interest of dower or otherwise therein:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That upon the application of said John Conner, and proper proof made to the court of common pleas of Blair county of the foregoing facts, the said court is hereby authorized and required to appoint a suitable person as trustee, who shall, under the directions of

the said court, execute and deliver a deed in fee simple to the said George B. Cramer for the tract of land aforesaid; which said deed shall be valid and effectual, to all intents and purposes, in law and equity, to convey all the right, title and interest of them, the said John Conner and Charity, his wife, as if they had severally signed, sealed, acknowledged and delivered the said deed in accordance with the provisions of law: *Provided*, That the said trustee shall give bonds, with sufficient security, conditioned for the faithful application of the proceeds of said real estate to the support and maintenance of the said Charity Conner, under the order and direction of said court.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 617.

## AN ACT

Relative to the Election of Township Officers in Nockamixon township, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the election of officers now or hereafter to be elected in the township of Nockamixon, county of Bucks, shall be as follows, viz: The qualified electors residing in the Bridgeton election district of the township of Nockamixon shall vote at the place appointed by law for holding the general election in said district, on the day appointed by law for holding the township election in said township; and the qualified electors of the Nockamixon election district shall vote at the place appointed by law for holding the general election in said district, on the day appointed by law for holding the township election in said township of Nockamixon, and then and there vote for persons to fill the different offices provided for by law for said township; the qualified electors of the Bridgeton election district shall, at the same time and place, elect one person for judge and two persons for inspectors of elections for said district. It shall be the duty of the constable of the township of Nockamixon to give notice of the time and place of voting for township officers in each of said districts, as is now provided by law for the township of Nockamixon. It shall be

Bridgeton election district.

Nockamixon election district.

Duty of constable and assessor.

the duty of the assessor of the township of Nockamixon to furnish the election officers of said Bridgeton election district with a list of voters residing therein, as is now provided by law for the general elections held in said district.

SECTION 2. That the judge and clerk appointed by the inspector who received the highest number of votes at the time of his election of each district, shall meet in the village of Kintnersville, in said township, at twelve o'clock, M., on the day following the election of township officers, and add up the votes cast for township officers in both districts; and the person or persons having received the highest number of votes for each office shall be declared elected, certificates of which election shall be signed by them and delivered to the officers elected, as is now provided by law for the township of Nockamixon; the said election officers to receive, in addition to what they are now by law entitled, the sum of fifty cents each, and three cents per mile in going to and returning from the village of Kintnersville to their places of residence, in attending to the performance of their duty, to be paid as is now provided by law for the payment of election officers.

SECTION 3. That the election officers elected to hold the general election in the Bridgeton election district, shall hold all elections to be held in said district until their successors are elected.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 618.

## AN ACT

To incorporate the Pottsville Mining and Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. Jones, F. Spencer, George Spencer, John Edwards and D. Edwards, of Schuylkill county, Pennsylvania, their associates, successors and assigns and such other persons as shall become shareholders, be and the same are hereby erected and constituted a body politic and corporate in deed and in law, by the name, style and title of the Pottsville mining and manufacturing company, to be located in the county of Schuylkill, with a capital

Capital.	stock of two hundred and fifty thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, to be divided into shares of fifty dollars each.
Directors.	SECTION 2. That the affairs of said company shall be managed by a board of not less than seven nor more than thirteen directors, one of whom shall be president who shall be chosen by the directors; the election for directors shall be held annually at such time and place in the county of Schuylkill as the company determine, of which public notice shall be given; all elections shall be by ballot and every share of stock subscribed and paid in, shall entitle the holder to one vote; and in case of any vacancy in the board of directors by death, resignation or otherwise, the remaining members of the board shall elect new directors to fill such vacancy, until the next annual election of the stockholders.
Votes.	
By-laws.	SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure, and by the name, style and title aforesaid shall be able and capable in law to sue and be sued, plead and be impleaded in any court in this commonwealth or elsewhere; may make all needful rules, regulations and by-laws for the management and business of the corporation.
Lands.	SECTION 4. That the said corporation shall have the right to purchase and hold in fee simple or to lease for a term of years, coal lands in Norwegian and East Norwegian townships, in Schuylkill county, not exceeding at any one time fifteen hundred acres, with power to sell, mortgage, lease or otherwise dispose of the same or any part thereof, and the capital of the said company may be employed in acquiring said lands and improving the same, for mining of coal and manufacturing purposes and transporting and selling the same, and for such other objects as are necessary in the prosecution of said business, and to lease ground and buildings any where within said county for purposes of landing and shipping coal.
Dividends.	SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation, and that dividends may be declared and paid semi-annually; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation in their individual capacity for the excess so divided and paid.
	SECTION 6. That this act shall take effect as soon as one thousand shares of stock are subscribed and paid in.
Subscription.	SECTION 7. That subscriptions to stock may be paid in real estate or personal property appropriate to the business contemplated by this act, at a fair cash valuation to be fixed upon by a majority of the stockholders.
Limitation.	SECTION 8. That this act shall continue in force for twenty years, when the corporation hereby created shall expire, except for the purpose of winding up its affairs.
Bonus.	SECTION 9. That the said corporation shall pay to the state treasurer for the use of the commonwealth, a bonus of one-half of one per centum on the capital stock of said company required to be subscribed to carry this act into effect, and the same amount upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date

hereof, and shall pay such tax upon dividends as is or may be provided by law.

SECTION 10. That the stockholders of the said company shall be jointly and severally liable in their individual capacities for all debts and contracts made by such company, to the amount remaining unpaid on each share of stock held by them respectively, and shall also be liable for all debts due to mechanics, workmen and laborers employed by them and materials furnished to said company, to be sued for and collected as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna coal and iron company, approved the fifth of April, one thousand eight hundred and fifty-three. Liability.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 619.

## AN ACT

To provide for the Due Training of Teachers for the Common Schools of the State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purposes of the following act, the counties of Delaware, Chester, Bucks and Montgomery, shall form the first normal school district; Lancaster, York and Lebanon, the second; Berks, Schuylkill and Lehigh, the third; Northampton, Carbon, Monroe, Pike, Luzerne and Wayne, the fourth; Wyoming, Sullivan, Susquehanna, Bradford, Lycoming and Tioga, the fifth; Dauphin, Northumberland, Columbia, Montour, Union, Snyder, Perry, Juniata and Mifflin, the sixth; Cumberland, Adams, Franklin, Fulton, Bedford, Huntingdon and Blair, the seventh; Centre, Clinton, Clearfield, Elk, Potter, M'Kean, Jefferson, Clarion, Forest and Warren, the eighth; Cambria, Indiana, Armstrong and Westmoreland, the ninth; Washington, Greene, Fayette and Somerset, the tenth; Allegheny, Butler and Beaver, the eleventh, and Lawrence, Mercer, Venango, Crawford and Erie, the twelfth. Normal school districts.

SECTION 2. That when any number of citizens of this state, not less than thirteen, shall, as contributors or stockholders, erect and establish a school for the professional training of young men and women as teachers for the common schools of the state, Establishment of schools.



in accordance with the provisions of this act, such school may become entitled to its benefits, in the manner hereinafter set forth: *Provided however*, That not more than one such school shall, at the same time, become and continue to be entitled to such benefits in each of the foregoing normal school districts; and that this act shall not take effect till at least four such schools, in as many different districts, shall have complied and been recognized in accordance with the provisions of this act.

Trustees.

SECTION 3. That the pecuniary affairs of each of said schools shall be managed, and the general control exercised by a board of trustees, (whose officers shall be a president and secretary who shall, and a treasurer who shall not be members of said board,) to be chosen by the contributors or stockholders on the first Monday in May annually; but no contributor or stockholder shall have more than five votes at the election of trustees; and no religious test or qualification shall be required, to entitle any one to become a contributor, stockholder, trustee, professor or student in any of said schools.

Powers.

SECTION 4. That after the said schools shall have been recognized under the provisions of this act, it shall be lawful for them to receive, hold and use, under the direction of their trustees aforesaid, any devise, bequest, gift, grant or endowment of property, whether real or personal, which may be made to them; and the same shall be so applied by the trustees as shall, in the opinion of a majority of them, increase the efficiency and usefulness of the said schools, subject, however, to any terms, conditions or restrictions which may be attached to such devise, bequest, gift, grant or endowment, not inconsistent with the spirit and purposes of this act; and the said trustees shall have authority to bring suit in their name as trustees, and do all other things necessary for the recovery, use and application of the same.

Report by trustees.

SECTION 5. That the trustees of each of said schools, after being recognized under the provisions of this act, shall annually in the month of June furnish, under oath or affirmation of the president of the board of trustees, to the superintendent of common schools, a full account of its pecuniary condition, showing income and debts, if any, salaries and other expenses, and dividends declared, together with the number of students admitted and graduated, the branches taught, the apparatus procured, the improvements effected, and the changes made during the preceding year, and such other information as said superintendent of common schools may, from time to time, by his general circular to all of said schools, require to be furnished; and each of said schools shall always be open to the visitation and inspection of said superintendent of common schools, and of the county superintendents of all the counties within its normal school district.

Requisites to obtain benefits of this act.

SECTION 6. That to entitle it to the benefits and privileges of this act, each of said normal schools shall possess the following requisites:

Buildings.

I. Suitable buildings as hereinafter provided, and an area of ground appurtenant thereto, of not less than ten acres in one tract, the whole of which shall be prepared and used as a place for gymnastic exercises and healthful recreation by students, ex-

cept so much thereof as shall be necessarily occupied by the buildings, botanical and other gardens, and such other purposes as shall be plainly promotive of the great objects of the institution.

II. The buildings shall contain a hall of sufficient size to comfortably seat at least one thousand adults, with class rooms, lodging rooms and refectories for at least three hundred students, all properly constructed and arranged as to light, heat and ventilation, so as to secure the health and comfort of the occupants, with proper provision for physical exercise during inclement weather. Hall, &c.

III. Each school shall contain a library room for the accumulation of books for the free use of the students, a cabinet for specimens and preparations, to illustrate the natural and other sciences, such apparatus and philosophical instruments as are indispensable for the same purpose. Library.

IV. Each school shall have at least six professors of liberal education and known ability in their respective departments, namely:—One of orthography, reading and elocution; one of writing, drawing and book-keeping; one of arithmetic, and the higher branches of mathematics; one of geography and history; one of grammar and English literature, and one of theory and practice of teaching, together with such tutors and assistants therein, and such professors of natural, mental and moral science, languages and literature, as the condition of the school and the number of students may require. Professors.

V. The principal of each normal school shall be a professor of such one of the six indispensable branches as may be assigned to him by the trustees, and he shall be charged with the whole discipline and interior government of the school, in conformity with such regulations as shall, from time to time, be adopted by the trustees, and approved by the state superintendent of common schools. Qualifications of principal.

VI. Each school shall have attached to it one or more schools for practice or model schools, with not less than one hundred pupils from the children of the vicinity, and so arranged that the students of the normal school shall therein acquire a practical knowledge of the art of teaching under the instruction of their proper professors. Model schools.

VII. The qualifications for admission in, and the course and direction of the term of study in all the schools shall be such as shall be approved by and at a meeting of all the principals of the normal schools then recognized under this act; such meeting to be called from time to time, as he may deem expedient, by the state superintendent of common schools, and to take place at one or other of the annual examinations hereinafter provided for, except the first meeting, which shall be held at such time and place as he may indicate; and at such meetings the act of the majority of the principals shall be binding on all the schools in reference to the qualification for admission and the course and term of study, when approved by the state superintendent of common schools. Qualifications of students.

VIII. The text-books to be used in each of said schools shall be such as may be selected by its proper professors, with the approbation of the trustees thereof. Books.

Duties of students.

IX. Each of said schools shall admit when required, and retain during the whole term of study, if so long they behave themselves well, one student annually alternately, male and female, from each common school district within the counties composing its normal district, at a cost of not more than five dollars each for the term or quarter of eleven weeks, to be paid in advance by the board of directors sending them; said students to be selected after public examination by said directors from amongst those, if males, of the age of sixteen or upwards, and if females, of not less than fourteen years, who manifest a desire and a capacity to exercise the profession of teaching, preference being always given to those of the best moral character, most studious habits and greatest proficiency in knowledge, but no one to be so admitted unless proficient in all the studies required for entrance into the normal schools by their general regulations, adopted under article seven of this section.

Tuition fees.

X. Students other than those admitted on district account, to pay such sum for tuition as the trustees shall determine; but in the admission of such students the preference always to be given to such as are designed for the profession of teaching, and as between private and public students, a like preference to be given to the latter in case of insufficiency of room to accommodate all who apply, and no difference in the charge for boarding and lodging to be made in favor of any class of students.

Admission of school teachers.

XI. Teachers who shall have taught a common school in their proper normal district during a full school term of their common school district next preceding their application, may be admitted for any term not less than one month into their proper normal school, at a charge for instruction not to exceed two dollars per month, and shall pay the same price for boarding and lodging, if there be room for them, as other students, and shall have the same care and facilities for study in proportion to their advancement.

Examinations.

XII. Examinations for graduation shall be made in each normal school by not less than three nor more than five principals of the schools recognized under this act, who shall annually be designated for that purpose by the state superintendent of common schools, and assemble in each school at a time to be designated by him; and said annual examinations shall take place in the presence of the superintendents of all the counties embraced in the proper normal school districts.

Powers of faculty

XIII. The faculty of each normal school shall have the power to expel any student attending on district account for improper conduct, which expulsion and the cause of it shall forthwith be certified in writing by the principal to the directors of the district from which the expelled student was admitted, whereupon such directors shall have the right to supply the vacancy thus created.

How privileges of this act obtained.

SECTION 7. That when the trustees of any school desirous of claiming the privileges of this act shall make application to the state superintendent of common schools, it shall be the duty of the superintendent of common schools, together with four other competent and disinterested persons, to be chosen by him, with the consent of the governor, and all the superintendents of the counties in the normal school district in which such school

shall be situated, on receiving due notice from the department of common schools personally, and at the same time, to visit and carefully inspect such school; and if, after thorough examination thereof, and of its by-laws, rules and regulations, and of its general arrangement and facilities for instruction, they or at least two-thirds of them shall approve the same, and find that they fully come up to the provisions of this act, in that case and in no other they shall certify the same to the department of common schools, with their opinions that such school has fully complied with the provisions of this act, as far as can be done before going into operation under this act; whereupon the state superintendent shall forthwith recognize such school as a state normal school under this act, and give public notice thereof in two newspapers in each county in the proper normal school district, and thenceforward this act shall go into full operation, so far as regards such school, without any further proceedings: *Provided however*, As hereinbefore set forth, that no such notice shall be given until at least three other normal schools, in as many different normal districts, shall have been similarly inspected, approved and certified to the department of common schools; and if upon due inspection any school so applying shall be found insufficient under this act, said board of inspectors shall so report to the superintendent of common schools, who shall thereupon inform the trustees thereof of such adverse report.

SECTION 8. That if two or more schools apply in the same district to be recognized under this act at the same time, all of them shall be visited in the manner prescribed by the next preceding section, and the one found to possess the largest and best accommodations and arrangements, to give effect to the purposes of this act, shall be preferred, and so certified if it fully come up to the requirements of this act; and if two or more schools in the same district be found to possess equal accommodations and arrangements fully up to the requirements of this act, in that case the one nearest to the centre of the proper normal district shall be preferred, and certified for recognition to the department of common schools; and if one or more of the schools thus applying for recognition give notice to the department of common schools, with reasonable assurance that it or they are not now ready for inspection under the seventh section of this act, but will be within the term of six months from and after the date of such notice, in that case none of the applicant schools shall be inspected in such district till such time within said six months when all shall be prepared for inspection, when like proceedings shall take place as have been prescribed in the preceding part of this and the seventh section.

SECTION 9. That the board of principals who shall examine the candidates for graduation in any of the normal schools under this act, shall issue certificates to be signed by all of them to all such students of the full course as two-thirds of the board shall approve, setting forth expressly, the branches in which each have been found duly qualified, which certificates must embrace all the branches enumerated in the fourth article of the fifth section of this act, including the theory but not including the practice of teaching, and may also embrace any additional branches in which the graduate was found proficient; actual teachers of

Certain schools  
to be visited.

Examination of  
graduates.



common schools in good standing who shall produce satisfactory evidence of having taught in common, during three full consecutive annual terms of the districts in which they were employed, may also be examined at the same time and in the same manner with the regular students of their proper normal school, and if found equally qualified, shall receive certificates of scholarship of the same kind; and all the certificates granted under this section shall be received as evidence of scholarship to the extent set forth on the face of them, without further examination, in every part of the state; and whenever the holder of any certificate under this section shall by study and practice, have prepared for examination in any branches of study additional to those in such certificate, he or she may attend the annual examination of the normal school of the district, and if found duly qualified, shall receive a new certificate, setting forth all the branches in which up to that time, he or she may have been found proficient; and thenceforth such enlarged certificate shall also be evidence of scholarship to the extent of it in every part of the state without further examination.

Certificates to  
teachers.

SECTION 10. That no certificate of competence in the practice of teaching shall be issued to the regular graduate of any of said normal schools, till after the expiration of two years from the date of graduation, and of two full annual terms of actual teaching in the district or districts in which such graduate taught, nor to any teacher who shall hold a full certificate of scholarship, without having been a regular student and graduate, unless upon full proof of three years actual teaching in a common school or schools, nor in either case without the production of a certificate of good moral conduct, and satisfactory discharge of the requisite duration of professional duty, from the board or boards of directors in whose employment the applicant shall have taught, countersigned by the county superintendent of the proper county or counties; on the production of which proof and not otherwise, a full certificate of competence in the practice of teaching shall be added to the certificate of scholarship, and of theoretical knowledge of the science of teaching already possessed, to be received as full evidence of practical qualification to teach in any part of the state without further examination: *Provided however*, That practical teachers who shall upon due examination, receive a certificate of scholarship, may at the same time receive a certificate in the practice of teaching, upon producing the required evidence of three years previous experience in the art of teaching and of good moral conduct.

Provisional cer-  
tificate.

SECTION 11. That no temporary or provisional certificate nor certificate of any less degree of scholarship than that required by the ninth section of this act, shall be issued by said board of principals nor by the faculty of any of said schools, but the principal of each of said schools may certify in writing, to the length of time which teachers may have attended under the eleventh article of the sixth section of this act, and the manner of their deportment while in attendance.

Duty of gradu-  
ates.

SECTION 12. That the students who shall graduate on district account in any of said normal schools, shall be liable to devote the next three years after their graduation, to the exercise of their profession as teachers in the common schools of the dis-



trict which defrayed the expense of their professional instruction, if so required by the respective boards of directors of such districts, and at the medium salary or compensation paid in such districts, and if not so required by their proper district, they shall devote said three years to the employment of teaching in the common schools of some other district or districts at such salary as may be given therein; and each of said students before admission to the proper normal school, shall subscribe a written declaration of his or her intention to comply with the provisions of this section, which shall be deposited with the secretary of the board of directors of the proper common school district.

SECTION 13. That it shall be the duty of the superintendent of common schools to prescribe all forms and to give all instructions required for carrying this act into full effect on all points not herein set forth in detail.

*Duty of superintendent of common schools.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 620.

## AN ACT

Declaratory of the Powers of the Courts of Quarter Sessions to create Independent School Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of the provisions of the supplement to the general school law, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-five, for the creation of independent school districts, was and is to provide in a guarded manner for exceptions to the general rule, and to protect and promote the educational welfare of occasional localities that, from natural or other adequate obstacles, could not be properly provided for under the organization of township districts; and further, it was not the intention to cut up townships into single school districts, nor to carve out the wealthier from the poorer portions of a township or townships, to the prejudice of the rights and interests of the latter: *And it is further enacted,* That when an independent district has been created in violation of these principles, the court of quarter sessions of the proper county is hereby authorized and required, upon applica-

tion of not less than twenty citizens of the township or borough affected thereby, to open the decree of the court by which it was created, and after re-examination upon the merits, confirm or annul such districts, as the evidence may require; and hereafter no independent district shall be created in any case without the unanimous concurrence of the court.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 621.

## AN ACT

Relative to the Abolition of Independent School Districts, created or continued by the Courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where an independent school district has been created or continued by any of the courts of common pleas of this commonwealth, it shall be lawful for said courts, upon the application of one-third of the taxable citizens of any school district, out of which any independent district may be erected, by petition, setting forth that they desire the abolition of any district, to hear and determine the application upon its merits, and if deemed expedient, the said court shall discontinue the said district, or continue the same for any period not exceeding five years at any one time: *Provided,* If any district shall be discontinued, the school property of said district shall be disposed of as is required by the existing laws.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 622.

## AN ACT

To authorize the School Directors of the borough of Phoenixville to Borrow Money, for the purpose of building Two School Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Phoenixville be and they are hereby authorized to borrow any sum of money not exceeding eight thousand dollars, in addition to the amount authorized by existing laws, for the purpose of building two school houses in said school district.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 623.

## AN ACT

Authorizing a Special Tax in the borough of South Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of South Pittsburg, in the county of Allegheny, shall have power to cause to be levied and assessed upon all property, trades, occupations and professions in said borough, now by law taxable for state, county or borough purposes, a special tax in addition to the taxes now authorized by law to be levied and assessed, to be called the improvement tax. Special tax

SECTION 2. That all levies and assessments by virtue of this act, shall be assessed and collected in the same manner as other corporate taxes are now assessed and collected in said borough, and may be included in the same or other duplicates of assessment; and when collected, shall be paid into the borough treasury, and shall be paid out under and by authority of the resolutions of the town council of said borough. How collected

Object of tax.

SECTION 3. That all moneys raised under and by virtue of this act, shall constitute a fund for the extinguishment of the paving bonds heretofore, or hereafter to be issued by the town council of said borough, under and by virtue of the eighth section of the act approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-one, and shall be exclusively appropriated to the payment of said bonds.

Tax limited.

SECTION 4. That the amount of the said improvement tax, assessed and collected in any one year, shall not exceed such sum, exclusive of the expenses attending the assessment and collection of said tax, as may be sufficient to meet the said paving bonds of said borough then due, or falling due in that year.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 624.

## AN ACT

In relation to Party Walls.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the inspectors of buildings of the city of Philadelphia, upon the application of any person or persons about to erect on his or their lot or lots of ground any new building or buildings, according to the provisions of the act of the first day of May, Anno Domini one thousand eight hundred and fifty-five, entitled “An Act to provide for the regulation and inspection of buildings,” to examine all such party or division walls upon or adjoining said lot of ground, and which shall have been erected prior thereto, and if deemed and adjudged by them to be insufficient and unfit for the purpose of such new building about to be erected, such party or division walls shall be removed and taken down by the last builder; the cost and expense of which removal, together with the cost and expense of the new wall or walls to be erected in lieu thereof, shall be borne and paid exclusively by him: *Provided nevertheless,* That an appeal from the decision of the building inspectors may be had to the board of surveyors, in conformity with the provisions of an act, entitled “An Act to provide for the better regulation of buildings in the

city of Philadelphia," approved May seventh, Anno Domini one thousand eight hundred and fifty-five; and in settlement of their accounts the said inspectors shall file in the court of common pleas of said city, on the first day of June annually hereafter, a full statement of their receipts and expenditures, which account shall be audited by said court, and on their order, the balance, if any found to be in the hands of said inspectors, shall be by them paid into the city treasury for the use of the said city; and all acts or parts of acts inconsistent with or contrary to the provisions of this act, be and the same are hereby repealed.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 625.

## A N A C T

Authorizing the Court of Common Pleas of Northumberland county to appoint Auditors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of Northumberland county be and are hereby authorized and empowered to appoint three auditors to open, re-audit, settle and adjust the accounts of Jesse M. Simpson, Jacob Young and Francis Rueher, late treasurers, and of George Bright, the present treasurer of Northumberland county, and ascertain if any and what mistakes have been made in the settlement of the said treasurers' accounts with the county of Northumberland, and also with the commonwealth of Pennsylvania, from the date of the report by the late special auditors appointed under and by virtue of an act of assembly of the state of Pennsylvania, approved the fourth day of May, one thousand eight hundred and fifty-two.

Auditors to be appointed.

SECTION 2. That the said auditors shall, before entering upon their duties, take and subscribe the oath prescribed for county auditors in the forty-sixth section of the act of the fifteenth of April, one thousand eight hundred and thirty-four, entitled "An Act relating to counties, townships, and county and township officers;" and the auditors, any two of whom, when duly convened, shall be a quorum, shall have the same powers as are

Quorum.



Duties.

given county auditors in the said act, and make report of the accounts audited and adjusted to the said court, together with a statement of the balance due from or to the said treasurers, and from or to the said commonwealth of Pennsylvania; and the report shall be filed of record in the said court, and have the same effect, and be subject to the same appeal as is given to reports of county auditors in the said act last above mentioned, with the supplements thereto.

Pay.

SECTION 3. The said auditors shall be allowed out of the county funds of said county the sum of two dollars for each day's necessary attendance on the duties of their office; and the amount payable to the auditors for their services and incidental expenses, and the costs of the attendance of witnesses before them, shall be paid by the county, by an order drawn on the county treasurer by the judges of the court of common pleas of the county aforesaid.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 626.

## AN ACT

To widen Thirty-first street, in the city of Philadelphia, and to change the name thereof.

To be widened.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Thirty-first street, in the city of Philadelphia, as lies between Ridge avenue and Allegheny avenue shall be opened and graded by the proper authorities of the said city of the width of one hundred feet, by adding to its present width on the plan of the said city, fifty feet on the eastern line thereof for the distance aforesaid: *Provided,* That before the said street shall be opened of the width aforesaid, proceedings shall be duly had and taken in the court of quarter sessions for the city and county of Philadelphia, on the petition of two or more owners of property, as provided by existing laws for the ascertainment and assessment of all damages which shall arise therefrom to private property, due regard being had to the advantages which may accrue thereto from the opening of the said street of the width

aforesaid; and if the aggregate amount of the damages so assessed shall be found not to exceed the sum of five hundred dollars, or if any excess above such sum shall be duly released by the parties claimant or otherwise satisfied, then the said street shall be forthwith opened and graded of the width and for the distance aforesaid, but otherwise not.

SECTION 2. That if the said Thirty-first street shall be opened of the width aforesaid in the manner aforesaid, then and in such case the name of the said street from Ridge avenue northward to the township line road, shall be changed to that of St. James avenue. Name changed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 627.

## AN ACT

For the relief of Charity Hineman, Widow of an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay Charity Hineman, of Roane county, Virginia, widow of a soldier of the Revolutionary war, (Pennsylvania line,) a gratuity of forty dollars and an annuity of forty dollars during the term of her natural life, payable half yearly, commencing on the first days of July and January.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 628.

## AN ACT

For the Relief of Rebecca Moreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay to Rebecca Moreland, of Westmoreland county, widow of an old soldier, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, payable half yearly, commencing on the first days of July and January.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No 629.

## SUPPLEMENT

To an act laying out a State Road from Tunkhannock borough, in Wyoming county, to Abington Centre, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the survey and return of the commissioners appointed to lay out said road shall be deemed good and valid in law, and shall have the same force and effect as if the same had been made and returned on or before the first day of January, one thousand eight hundred and fifty-five, as required by said act; and the supervisors of the townships through which said road passes shall open and work the same agreeably to the provisions of the original act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 630.

## A N A C T

To lay out a State Road in Allegheny and Butler counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Essler, of Allegheny county, and E. Maruhoff and Daniel Larden, of Butler county, be and are hereby appointed commissioners to lay out a state road, commencing at the borough of Tarentum, in Allegheny county, and extending by the easiest and most practicable route, by way of Larden's mill, to Saxonburg, Butler county. Commissioners.  
Route.

SECTION 2. That the said commissioners, after being duly sworn or affirmed to perform the duties hereby enjoined, shall view, lay out and locate a road between the points specified in this act, having due regard to directness and facility of traveling; they shall clearly and distinctly mark the said road; and having viewed and located the said road, the said viewers shall make out two correct drafts or plots of the same, and shall file one in the court of quarter sessions of Allegheny county, and the other in the court of quarter sessions of Butler county, and from thence the same shall become a public highway. Duties.

SECTION 3. That from and after the said drafts and plots have been filed, it shall be the duty of the respective supervisors of the several townships through which said road passes, to open the same with all convenient speed to the width of forty feet, and not exceeding a grade of three degrees from a horizontal line; said road to be kept in repair as all other highways in said counties. Opening.

SECTION 4. That said commissioners shall meet on or before the first Monday of August next, or as soon thereafter as a majority of them shall agree upon, and complete the location of said road as soon as practicable; and in case of vacancy by resignation or otherwise, it shall be filled by the judges of the court of quarter sessions of the county in which said person so resigning shall have resided. The said commissioners shall receive the sum of one dollar and fifty cents per day for every day they shall be engaged in performing the duties imposed on them by this act; and if said E. Maruhoff shall act as surveyor, then he shall receive one dollar per day in addition: *Provided*, That if said Maruhoff shall not act as surveyor, then said commissioners shall have power to employ a surveyor at two dollars and fifty cents per day, and two chain bearers and one axeman, the sum of one dollar per day each while so engaged, to be paid out of the county treasury of Allegheny and Butler counties, in proportion to the length of said road in each county; and the commissioners of said counties are hereby authorized to settle and adjust the accounts of the said commissioners and their assistants, and draw orders for the payment of the same. Meeting.  
Pay.

Duty of supervisors.

SECTION 5. That it shall be the duty of the supervisors aforesaid, to open and make said road as other roads are opened and made; and on failure so to do, the said supervisors shall forfeit and pay respectively, a sum not less than fifty dollars, to be recovered as debts of a like amount are by law recoverable, suit to be brought in the name of the commonwealth, and the money arising therefrom, to be appropriated to the use of said road.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 631.

## AN ACT

Supplementary to the incorporation of the Farmers' Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Farmers' mutual fire insurance company is hereby empowered and privileged to insure dwelling houses, barns and other buildings, household furniture and other personal property against damage or loss by fire within the commonwealth of Pennsylvania, or any commonwealth or territory of the United States of North America, for such term or terms, and for such premiums or considerations, and such modifications and restrictions as may be agreed on between the said corporation and the persons agreeing with them for said insurance, either perpetual or for a specified number of years; and its principal place of business shall be, as now, in the borough of York, York county.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 632.

## A SUPPLEMENT

To an act approved the seventh day of March, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to incorporate the Clarion and Mahoning Turnpike Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Means, Abner Myers and Samuel Winkett, be and are Commissioners. hereby appointed commissioners to re-view and lay out that portion of the state road laid out by the authority of the act to which this is a supplement, lying between Martha furnace, in Monroe township, in Clarion county, and the line of Toby township, in said county; and that after the report of said commissioners shall have been filed in the office of the clerk of the court of quarter sessions of said county, the supervisors of the respective townships shall and are hereby required to open said road forthwith.

SECTION 2. That the commissioners aforesaid shall have all Powers. the powers and receive the same compensation granted to the commissioners by the act to which this is a supplement.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 633.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the North Branch and Lackawanna Railroad Company," approved the second day of May, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company are hereby authorized, and shall be able and Lands. capable in law to take, receive and hold in fee simple, or to lease

Proviso.

lands and tenements, and may sell, lease, mortgage or dispose of their interest in the same, as they may deem expedient, and may receive subscriptions to their said capital stock in such property in form or manner as may by the directors be deemed expedient: *Provided*, That the said lands shall not exceed in quantity two thousand acres at any one time, and shall lie within the county of Luzerne: *And provided further*, That the said corporation shall pay to the state treasurer, for the use of the commonwealth, a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law.

Bonus.

Issue bonds.

SECTION 2. That the said company are hereby authorized to issue their bonds for two hundred thousand dollars in addition to the amount provided for in section seven of the act to which this is a supplement.

Office.

SECTION 3. That said company are hereby authorized and empowered to hold their principal office in the city of Philadelphia or New York for the transaction of their business: *Provided*, That said road shall be commenced within one year, and completed within ten years.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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 No. 634.

## AN ACT

To authorize the Pennsylvania Railroad Company to subscribe to the Capital Stock or endorse the bonds of the Chartiers Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Pennsylvania railroad company be authorized to subscribe to the capital stock of the Chartiers Valley railroad company, or guarantee the payment of principal and interest upon the mortgage bonds of said Chartiers Valley railroad company, to an amount not exceeding five hundred thousand dollars, on such terms and conditions as may be agreed upon between said companies: *Provided*, That the subscription so made shall not be

exempt from taxation, by virtue of any provisions contained in the act approved May sixteenth, one thousand eight hundred and fifty-seven, for the sale of the main line of the public works.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 635.

# AN ACT

To authorize the Pennsylvania Railroad Company to subscribe to the Capital Stock of the Hempfield Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pennsylvania railroad company be authorized to subscribe to the capital stock of the Hempfield railroad company, any sum not exceeding one million of dollars, on such terms and conditions as may be agreed on between said companies: And provided, That this act shall not be of valid effect until accepted by the stockholders of the Pennsylvania railroad company, at a meeting to be called for that purpose, as provided in like cases by the charter of the said company: Provided further, That the stock subscribed in pursuance of this act shall not be relieved from taxation, by virtue of any provisions contained in the bill passed at the present session of the legislature for the sale of the main line of the public works.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 636.

## AN ACT

Declaring the Streets and Alleys in the town of Espy, in Columbia county,  
Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the streets and alleys in the town of Espy, in the county of Columbia, are hereby declared public highways, according to the plot of said town, and as such shall be opened and improved, and kept in repair as other highways of this commonwealth: Provided, That nothing in this act shall be so construed as to interfere with private property.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 637.

## AN ACT

To authorize the Auditor General, Attorney General and State Treasurer to re-examine, settle and adjust the account of the late State Treasurer with the Lancaster Savings Institution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the account of the late state treasurer with the Lancaster savings institution be referred to the auditor general, attorney general and state treasurer for revision; and that said officers be and they are hereby empowered to settle, adjust or release the balance now appearing due to the commonwealth on said account, amounting to the sum of eight hundred and forty-five*

dollars and twenty cents, (\$845 20,) according as justice and equity may, in their opinion, dictate.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 638.

AN ACT

To authorize the School Directors of the borough of West Pittsburg, in the county of Allegheny, to purchase and hold certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of West Pittsburg, in the county of Allegheny, be and they are hereby authorized to purchase and hold a certain lot of ground, situated on the Washington turnpike road, in Chartiers township, and near the line of said borough, for school purposes, the same as if the said lot was situated within the lines of said borough: Provided, That said lot shall not contain more than one-fourth of an acre.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 639.

## AN ACT

Authorizing Elisha Sharp, his Heirs and Assigns to maintain and keep a Dam across Tunkhannock creek, in the county of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Elisha Sharp, his heirs, executors and assigns, be and they are hereby authorized to maintain and keep up a dam across Tunkhannock creek, in the county of Wyoming, at or near the mouth of said creek where the flouring mill of said Sharp is erected, and conduct the water therefrom by a race or otherwise as he or they may deem proper to and for the use of his or their said mill or machinery, at or near the mouth of said creek: *Provided, That* he or they shall not carry said race through the property of any person or persons without having first obtained their consent: *And provided further also, That* said dam shall be so built and maintained as to allow the free navigation of said creek; this act to have the same force and effect as though enacted before the erection or building of said mill as aforesaid.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 640.

## AN ACT

To authorize Jesse B. Schooley to Remove the Dead from a certain Lot in the village of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jesse B. Schooley is hereby authorized to dig up and remove to the Wyoming cemetery or burying ground, in the village of Wyoming, Luzerne county, all the dead buried in the west corner lot in said village: *Provided, That* when the work is commenced,

it shall be done in the most expeditious manner, and that none of the bones be permitted to be lost or carried off, but that the said bones shall all be taken up, and be buried in a common grave or tomb, to be fixed for that purpose, except in such cases as the relatives of any person buried there may recognize the same, and shall desire them buried separately; in which case it shall be the duty of the said Jesse B. Schooley so to dispose of and bury the same.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 641.

# AN ACT

For the Protection of Sheep and Taxing of Dogs in the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the commissioners of the county of Blair, and they are hereby required to cause an accurate return to be taken annually by the assessors of the several townships and boroughs within the said county of Blair, of all dogs upwards of one month of age, owned or possessed by any person or persons within their respective townships or boroughs, particularly noting the number owned or possessed by each person and kept about any one house; and when the said commissioners shall have so ascertained the number of dogs aforesaid, they shall levy and cause to be collected annually, from every person or persons owning and possessing one dog, fifty cents, for every second dog kept about the same house, one dollar and fifty cents, and for every additional dog, two dollars and fifty cents, by the collectors of the several townships and boroughs, at the same time and in the same manner the county rates and levies are collected, for which the said collectors shall be allowed five per centum out of the money so collected and paid into the county treasury; and it shall be the duty of the county treasurers to keep separate accounts of the money arising from the tax on dogs, and the said money shall be and is hereby appropriated as a fund for remunerating the inhabitants of the said county for any loss they shall sustain after the passage of this act by sheep being destroyed by a dog or dogs.

Number of dogs  
to be returned.

Tax to be levied  
and collected.

Money, how to be  
appropriated.

Evidence of own-  
ership of dog.

SECTION 2. That every dog kept or staying about any house shall be deemed sufficient evidence of ownership to authorize the assessor to return the person inhabiting said house as the owner or possessor of such dog; any person sending his or her dog from house to house, or from place to place, in order to evade the said tax, or to evade the rates above, the first dog shall pay double the rate of tax therefor; and every dog not returned shall be deemed to have no owner, and may be lawfully killed by any person seeing him run at large.

How sheep de-  
stroyed paid for.

SECTION 3. That when any inhabitant of the counties aforesaid shall have had any sheep destroyed by a dog or dogs, he or she may apply to the appraisers appointed by this act, and they, or any two of them, are hereby authorized and required to view and ascertain the amount of damage sustained by the owner of such sheep destroyed as aforesaid; and when they shall have ascertained the legality of the claims and the damages so sustained, they or any two of them shall certify the same under their hands and seals to the commissioners of the proper county, who shall draw their warrant on the county treasurer for the amount so certified, to be paid out of the fund arising from the tax on dogs; but if there shall not be sufficient money in the treasury belonging to the said fund, then the said warrant shall be kept by the person in whose favor it shall have been drawn, and be paid out of the first money that shall come into the treasury belonging to the said fund.

Appraisers.

SECTION 4. That the persons elected to audit and settle the accounts of the supervisors of the highways in the several townships and boroughs, shall be and they are hereby appointed appraisers of the damage done by dogs within their respective townships or boroughs, and shall have full power and authority to examine as witnesses any person or persons that shall appear before them respecting the premises, upon oath or affirmation to be by them administered; and it shall be the further duty of the said appraisers, and they are hereby required to ascertain whether the owner of the sheep so destroyed owns, possesses or keeps a dog or dogs about his or her premises, and shall make report of the fact to the commissioners of the proper county, with the valuation of the sheep so destroyed; and if it shall appear to the said commissioners that the owner aforesaid did not make a true return to the proper assessor of the dog or dogs subject to taxation, the said owner shall not be entitled to receive any part of the said damage or valuation money.

Duties.

Pay of appraisers

SECTION 5. That the persons appointed by this act as appraisers of damage done to sheep by a dog or dogs, shall severally receive for their services the sum of one dollar per day while so engaged, to be paid to them by the person applying for their services; which sum or sums shall be added to and paid with the damages so appraised. And the said appraisers, after their election and before they enter upon the duties enjoined upon them by this act, shall severally take and subscribe before some justice of the peace of the proper county, an oath or affirmation that they will, when called on for that purpose, faithfully and impartially perform all and every the duties enjoined upon them by this act, to the best of their judgment and ability. And any justice of the peace to whom application is made, is hereby re-

Oath.

quired to administer such oath or affirmation, and shall give a certificate thereof without fee or reward; which certificate shall be immediately filed in the office of the county commissioners.

SECTION 6. That if any person in the said county of Blair shall permit any dog to be kept or to remain about his premises, that is not returned by him to the assessor, such person shall be liable, if sued before any justice of the peace, to pay a fine of three dollars, with costs, one-half of which fine shall be for the use of the informer, and the other half to be paid by the justice to the county treasurer, and by him placed with the fund of taxes on dogs; said fine to be recovered as debts of that amount are by law recoverable. Penalty for not returning dogs.

SECTION 7. That any dog seen within an enclosure where cattle or sheep are kept within the said county, except when in company with his owner or some of his family, may be lawfully killed. Dogs may be killed.

SECTION 8. That when sheep shall be destroyed by a dog or dogs within the county of Blair, which sheep shall belong to and be owned by any person or persons residing out of the said county, and not within any county or district in which a tax is levied and collected on dogs, such person or persons shall not be entitled to receive from the commissioners of the said county of Blair, any compensation for the sheep so destroyed. Certain sheep not to be paid for.

SECTION 9. That should the fund originating out of the tax on dogs, so as aforesaid, accumulate in the treasury to an amount beyond what the county commissioners may think necessary to carry out the provisions of this act as hereinbefore provided for, they shall have power, and they are hereby required as often as such a contingency occurs, to proceed to set apart such surplus for common school purposes, and to divide the same among the several school districts within the said counties, in proportion to the number of taxable inhabitants in each of the said school districts, and shall draw their warrants for the several amounts so found on the county treasurer, in favor of the respective school treasurers of the several school districts, who shall pay out, account and settle for the said moneys so received, as all other moneys of the general school fund are by them paid out, accounted and settled for. Appropriation of surplus tax.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 642.

## A SUPPLEMENT

To an act, entitled "An Act to prevent the hunting of Deer with Dogs in the counties of Tioga, Schuylkill, Potter and Elk, in the townships of Armagh and Bratton, in the county of Mifflin, and in the townships of Blair, Frankstown and North Woodberry, in Blair county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act, entitled "An Act to prevent the hunting of deer with dogs in the counties of Tioga, Schuylkill, Potter and Elk, et cetera," approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-two, to which this is a supplement, be and they are hereby extended to all the territory of Blair, Clarion and Lycoming counties.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 643.

## AN ACT

Relative to the pay of certain officers in the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the pay of road and bridge viewers, reviewers and all subsequent viewers in the county of Blair, shall be one dollar and fifty cents per day, and mileage at the rate of six cents per mile for every mile necessarily traveled by the said viewers from their own residences to the place of said view; and if one of such viewers shall perform the duties of a surveyor, he shall receive the additional sum of two dollars per day for his services while actually engaged in surveying such road and making a draft of the same.

Pay of road and  
bridge viewers.



SECTION 2. That all expenses, including survey and draft of such views, reviews and all subsequent views shall be paid by the county of Blair in the usual way, if reported for public use and confirmed by the court, and in all other cases, the whole expenses shall be paid by the petitioners, or person or persons procuring the order of court for such view. Expenses, how paid.

SECTION 3. That the pay of the directors of the poor of said county shall be two dollars per diem each, for every day necessarily spent, and three cents per mile circular for every mile traveled in the discharge of their official duties; and the pay of county auditors shall be two dollars per diem. Pay of directors of poor.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 644.

## A N A C T

Authorizing the Commissioners of Blair county to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Blair county be and they are hereby authorized to borrow any amount of money not exceeding five thousand dollars, at a rate of interest not exceeding six per centum per annum, to be applied to the payment of the general expenses of the county.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 645.

## AN ACT

To authorize the Treasurer of Centre county to Perfect certain Titles.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* where unseated lands have been sold for taxes by the treasurer of Centre county, and purchased by the commissioners thereof, for the use of the county, in accordance with the acts of assembly in such case made and provided, and by the said commissioners, or their successors, have been sold, or may hereafter be sold to individuals, but the deed or deeds of said treasurer to the said commissioners have been lost, then, and in any such case, it shall be the duty of the treasurer of said county, for the time being, on the payment of the fees now allowed by law, to make, execute, acknowledge and deliver to the commissioners of said county, for the time being, deeds poll for each and every such tract or tracts, which shall be as available in law, equity or otherwise, as the deed or deeds from the proper treasurer by whom said lands were sold would have been, if the same had not been lost or mislaid: *Provided, That* this act shall not apply to any case where the owners of unseated lands shall have paid the taxes, whilst the title to the said lands were in the county.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 646.

## AN ACT

To authorize the Appointment of additional Notaries Public in the counties of Chester and Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the governor be and he is

hereby authorized to appoint additional notary public for the county of Chester, who shall reside in the town of Coatesville; and also an additional notary public for the county of Washington, to reside in the borough of West Middletown.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 647.

## AN ACT

For the Relief of Martha Ankias, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to Martha Ankias, of the city of Philadelphia, the sum of two hundred dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 648.

## AN ACT

To authorize the Treasurer of this Commonwealth to pay certain moneys to Anna, Elizabeth, Mary and Priscilla Hamilton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the treasurer of this commonwealth be and he is hereby authorized and directed to pay to Anna Hamilton, Elizabeth Hamilton, Mary Hamilton and Priscilla Hamilton, out of any moneys in the treasury not otherwise appropriated, the sum of four hundred dollars for damages received from leakage of the West Branch division of the Pennsylvania canal: *Provided*, That said claimants release all further claims for damages on this account against the commonwealth.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 649.

## A N A C T

Directing the State Treasurer to pay the Claim of Ezekiel Mowry, junior, and Alden Mowry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby directed to pay to Ezekiel Mowry, junior, and Alden Mowry, for injury done to their mill property, situate near the mouth of Meshoppen creek, on the North Branch of the Susquehanna river, by reason of back water from the Horse Race dam, three thousand dollars, in lieu of the amount reported by the canal commissioners in their report dated the ninth day of May, one thousand eight hundred and fifty-seven: *Provided*, That no part of the above sum shall be paid until a release be signed in full for damages heretofore sustained, and which may hereafter be sustained, by reason of the reconstruction of Horse Race dam, on the North Branch of the Susquehanna river.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 650.

## A N A C T

To authorize the Canal Commissioners to examine the claim of Andrew Wise.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they hereby are authorized to examine the claim of Andrew Wise, for compensation for lumber and materials furnished for the Upper Juniata division of the Pennsylvania canal, in the year one thousand eight hundred and fifty-four, and ascertain what amount if any is due to him from the commonwealth, and report the same, together with the facts, to the legislature.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK

No. 651.

## A N A C T

To Change the Name of the Montgomery Greys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the company of infantry attached to the second battalion of the first brigade, eighteenth division, Pennsylvania volunteers, known as the Montgomery Greys, shall be designated and known as the Washington Guards, having all the rights, privileges and immunities enjoyed under their old title.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 652.

## AN ACT

To Regulate the Salaries of the Associate Judges of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of December next, the compensation of the associate judges of the several courts of common pleas of this commonwealth, excepting those of the city of Philadelphia, shall be as follows, to wit: For those whose attendance at court does not exceed four weeks per annum, the sum of one hundred and twenty-five dollars; for those whose attendance at court exceeds four weeks, and does not exceed six weeks, one hundred and fifty dollars; for those whose attendance at court exceeds six weeks, and does not exceed eight weeks, two hundred dollars; for those whose attendance at court exceeds eight weeks, and does not exceed ten weeks, two hundred and fifty dollars; for those whose attendance at court exceeds ten weeks, and does not exceed twelve weeks, three hundred dollars; and for those whose attendance at court exceeds twelve weeks, three hundred and fifty dollars; and that all whose attendance at court exceeds thirty weeks, four hundred dollars. All laws inconsistent with the provisions of this act are hereby repealed.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 653.

## AN ACT

Organizing Forest county for Judicial Purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county of Forest, from and after the first day of September,*

Anno Domini, one thousand eight hundred and fifty-seven, shall be entitled to, and at all times thereafter have all and singular the courts, jurisdictions, offices, rights and privileges to which other counties of this state are entitled by the constitution and laws of this commonwealth.

SECTION 2. That the several courts in and for the said county of Forest, shall be opened and held in the town of Marien, at such house therein as may be designated by the commissioners of said county, until a court house shall be erected in and for the said county, as is hereinafter directed, and shall then be held at the said court house. Where to be held

SECTION 3. That all suits and cases which shall be pending and undetermined in the several courts of Jefferson county, on the first of September, Anno Domini, one thousand eight hundred and fifty-seven, where both parties in such suit shall, at that time, be resident in the county of Forest, shall be transferred to the respective courts of Forest county, and shall be considered as pending in said courts, and shall be proceeded on in like manner as if the same had been originally commenced in said courts, except that the fees on the same, due to the officers of Jefferson county, shall be paid to them when recovered by the prothonotary or sheriff of Forest county; and the prothonotary of Jefferson county shall, on or before the first day of September, Anno Domini, one thousand eight hundred and fifty-seven, purchase dockets, and copy therein all the docket entries respecting the said suits and cases to be transferred as aforesaid; and shall on or before the first day of September, Anno Domini one thousand eight hundred and fifty-seven, have the said dockets, together with the records, declarations and other papers respecting the said suits and cases, ready to be delivered to the prothonotary of Forest county; the expenses of said dockets and copying to be paid by the said county of Forest, by warrants to be drawn by the commissioners of Forest county on the treasurer thereof. Suits to be transferred to Forest county.

SECTION 4. That the sheriff and prothonotary, and all such officers as are by law required to give security for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in said county of Forest, before they or any of them enter on the duty thereof, shall give security, in manner as provided by law, in one-half such amount as such officers are obliged by law to give in the county of Jefferson. Bonds of public officers.

SECTION 5. That the sheriff, coroner and officers of Jefferson county, who have exercised authority over said Forest county, shall continue to do so until similar officers shall be appointed or elected agreeably to law in said county of Forest; and the persons who shall be elected associate judges of the county of Forest, shall take and subscribe the requisite oaths and affirmations of office before the prothonotary of Jefferson county, who shall file a record of the same in the office of the prothonotary of the court of record of the county of Forest. Powers of sheriff, &c., of Jefferson county.

SECTION 6. That the judges of the supreme court shall have like powers, jurisdictions and authorities within the said county of Forest as by law they are entitled to exercise in other counties of this state, and the said county is hereby annexed to the Western district of the supreme court. Attached to Western district supreme court.

And to eighteenth judicial district.

Terms of courts.

Prisoners to be kept in Jefferson county.

Notice of election of county officers.

Public buildings.

Election of county officers.

SECTION 7. That the county of Forest shall be annexed to and compose part of the eighteenth judicial district of this commonwealth; and the courts in said county of Forest shall be holden on the Mondays following after the courts in the county of Jefferson, and to continue one week, if necessary; the first court to be commenced on the Monday following the court in Jefferson county, in December, Anno Domini one thousand eight hundred and fifty-seven: *Provided*, The president judge of said district shall have power and is hereby authorized to dispense with jury courts in said county, at such terms as in his opinion jury courts may be dispensed with without prejudice to the public interest.

SECTION 8. That in all cases when it shall be lawful for the sheriff of the county of Forest to hold in close custody the body of any person, such person shall be delivered to and kept in close custody by the sheriff of the county of Jefferson, who shall receive such fees from said county of Forest for so doing as are prescribed by law, and shall keep said persons in close custody until they are discharged by law: *Provided always*, That the sheriff of Forest county be allowed ten cents per mile out of said county funds, as full compensation for every person charged with a criminal offence which he may deliver to the jail of Jefferson county by virtue of this act, by orders from the commissioners of Forest county on the treasurer thereof.

SECTION 9. That the sheriff of the county of Jefferson shall give notice of the election to be held on the second Tuesday of October next, for the election of county officers for the county of Forest, in the same manner as is directed by the thirteenth section of the act of the second of July, Anno Domini one thousand eight hundred and thirty-nine, entitled "An Act relating to elections of this commonwealth."

SECTION 10. That it shall be the duty of the commissioners of the county of Forest to proceed to the erection of county buildings as soon as they may deem it expedient; and they shall assess, levy and collect a sufficient sum to defray the expenses of erecting such buildings: *Provided*, That in levying said tax the said commissioners shall not exceed the rates of assessment now authorized by law for county purposes in any one year.

SECTION 11. That the qualified electors of Forest county shall, at the first general election held in said county at the time and place of electing representatives, and whenever it becomes necessary for an election under the provisions of the constitution and laws of this commonwealth, to elect one person to fill the office of prothonotary, clerk of the courts of oyer and terminer, general quarter sessions and orphans' court, register of wills and recorder of deeds, one person to fill the office of sheriff, one person to fill the office of coroner, and two persons to fill the office of associate judge of said county.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 654.

## A N A C T

To Increase the Pay of County Commissioners and Auditors in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the county commissioners and auditors of the county of Potter shall respectively receive, out of the treasury of said county, the sum of two dollars for each and every day they shall necessarily spend in traveling and attending to the duties of their respective offices.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 655.

## A N A C T

To legalize Elections held in Potter county.

WHEREAS, Certain townships in the county of Potter held their township election through mistake on the thirteenth day of February, one thousand eight hundred and fifty-seven, instead of the twentieth day of said month, as provided by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the township elections held in the townships of Pike, Hector and West Branch, in the county of Potter, on the thirteenth day of February, one thousand eight hundred and fifty-seven, be and the same are hereby declared valid in law, the same as though said elections had been held on the twentieth day of said month;*

and this section shall apply to every township in said county which held its election as aforesaid.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 656.

## AN ACT

To establish the township of Jackson, in the county of Potter, into a separate Election District, and to change the Time of holding the Spring Elections in said county.

WHEREAS, The townships of Pike and Jackson, in the county of Potter, constitute but one election district, the place of holding elections in said district being in Pike township:

*And whereas,* There are not one hundred voters in said township of Jackson, and the present place of holding their election being inconvenient to accommodate the voters in said township of Jackson; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Jackson, in the county of Potter, shall hereafter constitute a separate election district; and the general, special and township elections in said township shall be held at the house of Benjamin Barse, in said township.

Election district.

Time of holding elections changed.

SECTION 2. The time of holding the borough and township elections in Potter county be and the same is hereby altered and changed to the first Friday in February of each year hereafter.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 657.

## A N A C T

Relative to School Directors in the First School District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That school directors in the first school district of Pennsylvania, elected in the wards in said district, shall reside in the wards for which they are elected; and a removal from the ward shall cause a vacancy in said board, which shall be filled by the board in which such vacancy occurs, excepting in the twenty-first, twenty-second, twenty-third and twenty-fourth sections, where all vacancies shall hereafter be filled by the remaining directors within the election districts in which such vacancies occur.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 658.

## A N A C T

Making an Appropriation from the State Treasury, in aid of the Farmers' High School.

WHEREAS, The Farmers' high school of Pennsylvania has secured from various sources, in aid of the objects of the institution, in addition to two hundred acres of land donated, a fund of twenty-five thousand dollars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of twenty-five thousand dollars be and is hereby appropriated to the Farmers' high school of Pennsylvania, to be paid out of any moneys in the treasury not otherwise appropriated: *Provided,* That the admissions to said school, from the several counties, shall be in proportion to their number of taxables respectively, if such number shall apply.

Appropriation

Admissions regulated.

Additional ap-  
propriation.

SECTION 2. That the further sum of twenty-five thousand dollars be and is hereby appropriated to said institution, to be paid as hereinafter provided.

Its payment reg-  
ulated.

SECTION 3. That whenever it shall appear, to the satisfaction of the governor, that said high school shall have received from some other source or sources one thousand dollars or upwards, the state treasurer shall pay to said school an equal sum, independent of the appropriation made in the first section, and so on until a sum not exceeding twenty-five thousand dollars, in addition to the preceding appropriation, shall have been appropriated to said school: *Provided*, That the said sum of twenty-five thousand dollars shall be subscribed within three years from the passage of this act.

Time of electing  
trustees and offi-  
cers changed.

SECTION 4. That the time fixed by the original act of incorporation of the Farmers' high school, for the annual meeting and election of the trustees and officers of the said institution, be and the same is hereby changed, so that the same shall hereafter be on the first Wednesday of September in each year, instead of the time mentioned in the original act.

Analysis of soil,  
&c.

SECTION 5. That there shall be established, in connection with the institution, an office where correct and perfect analysis shall be made, without charge, of all soils and manures which shall be sent by citizens of this commonwealth for that purpose, and a correct report returned of the result of said analysis, accompanied with such information as may be useful in the case.

Report of experi-  
ments.

SECTION 6. That the said corporation shall furnish reports of the result of all experiments made with trees, shrubs, plants, seeds, soils and the breeding and rearing of stock, to at least one newspaper in each county in the commonwealth for publication, the same to be furnished monthly, or immediately after the result of the investigations are known.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 659.

## AN ACT

To fix the number of Senators and Representatives, and to form the State into Districts, in pursuance of the provisions of the Constitution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Ratio for senators  
 until the next septennial enumeration of the taxable inhabitants and an apportionment thereon, and subject to such alterations as may be made under the proposed amendments to the constitution, in case of their adoption, the Senate, at a ratio of seven-thousand and eleven, shall consist of thirty-three members, and be apportioned as follows, to wit :

I. The city of Philadelphia shall compose the first district, and elect four members.

II. The counties of Chester and Delaware shall compose the second district, and elect one member.

III. The county of Montgomery shall compose the third district, and elect one member.

IV. The county of Bucks shall compose the fourth district, and elect one member.

V. The counties of Lehigh and Northampton shall compose the fifth district, and elect one member.

VI. The county of Berks shall compose the sixth district, and elect one member.

VII. The county of Schuylkill shall compose the seventh district, and elect one member.

VIII. The counties of Carbon, Monroe, Pike and Wayne shall compose the eighth district, and elect one member.

IX. The counties of Bradford, Susquehanna, Wyoming and Sullivan shall compose the ninth district, and elect one member.

X. The county of Luzerne shall compose the tenth district, and elect one member.

XI. The counties of Tioga, Potter, M'Kean and Warren shall compose the eleventh district, and elect one member.

XII. The counties of Clinton, Lycoming, Centre and Union shall compose the twelfth district, and elect one member.

XIII. The counties of Snyder, Northumberland, Montour and Columbia shall compose the thirteenth district, and elect one member.

XIV. The counties of Cumberland, Perry, Juniata and Mifflin shall compose the fourteenth district, and elect one member.

XV. The counties of Dauphin and Lebanon shall compose the fifteenth district, and elect one member.

XVI. The county of Lancaster shall compose the sixteenth district, and elect two members.

XVII. The county of York shall compose the seventeenth district, and elect one member.

XVIII. The counties of Adams, Franklin and Fulton shall compose the eighteenth district, and elect one member.

XIX. The counties of Somerset, Bedford and Huntingdon shall compose the nineteenth district, and elect one member.

XX. The counties of Blair, Cambria and Clearfield shall compose the twentieth district, and elect one member.

XXI. The counties of Indiana and Armstrong shall compose the twenty-first district, and elect one member.

XXII. The counties of Westmoreland and Fayette shall compose the twenty-second district, and elect one member.

XXIII. The counties of Washington and Greene shall compose the twenty-third district, and elect one member.

XXIV. The county of Allegheny shall compose the twenty-fourth district, and elect two members.

XXV. The counties of Beaver and Butler shall compose the twenty-fifth district, and elect one member.

XXVI. The counties of Lawrence, Mercer and Venango shall compose the twenty-sixth district, and elect one member.

XXVII. The counties of Erie and Crawford shall compose the twenty-seventh district, and elect one member.

XXVIII. The counties of Clarion, Jefferson, Forest and Elk shall compose the twenty-eighth district, and elect one member.

SECTION 2. In those districts which are composed of more than one county, the judges of the district elections within each county, after having formed a return of the whole election within such county in such manner as is or may be provided by law, shall send the same by one of their number to the place hereinafter mentioned within the district of which such county is a part, when the judges so met shall cast up the several county returns, and execute under their hands and seals one general and true return for the whole district, to wit :

The judges of the second district shall meet at the court house in the borough of West Chester, in the county of Chester.

The judges of the fifth district shall meet at the court house in the borough of Easton, in the county of Northampton.

The judges of the eighth district shall meet at the court house in the borough of Stroudsburg, in the county of Monroe.

The judges of the ninth district shall meet at the court house in the borough of Towanda, in the county of Bradford.

The judges of the eleventh district shall meet at the court house in the borough of Coudersport, in the county of Potter.

The judges of the twelfth district shall meet at the court house in the borough of Bellefonte, in the county of Centre.

The judges of the thirteenth district shall meet at the court house in the borough of Sunbury, in the county of Northumberland.

The judges of the fourteenth district shall meet at the court house in the borough of Bloomfield, in the county of Perry.

The judges of the fifteenth district shall meet at the court house in the borough of Harrisburg, in the county of Dauphin.

The judges of the eighteenth district shall meet at the court house in the borough of Chambersburg, in the county of Franklin.

The judges of the nineteenth district shall meet at the court house in the borough of Bedford, in the county of Bedford.

The judges of the twentieth district shall meet at the court house in the borough of Hollidaysburg, in the county of Blair.

The judges of the twenty-first district shall meet at the court house in the borough of Indiana, in the county of Indiana.

The judges of the twenty-second district shall meet at the court house in the borough of Greensburg, in the county of Westmoreland.

The judges of the twenty-third district shall meet at the court house in the borough of Washington, in the county of Washington.

The judges of the twenty-fifth district shall meet at the court house in the borough of Butler, in the county of Butler.

The judges of the twenty-sixth district shall meet at the court house in the borough of Mercer, in the county of Mercer.

The judges of the twenty-seventh district shall meet at the court house in the city of Erie, in the county of Erie.

The judges of the twenty-eighth district shall meet at the court house in the borough of Brookville, in the county of Jefferson.

SECTION 3. That until the next septennial enumeration of taxables and apportionment thereon made, and subject to such alterations as may be made under the proposed amendments to the constitution, in case of their adoption, the House of Representatives, at a ratio of five thousand seven hundred and ninety-six, shall consist of one hundred members, and be apportioned as follows, to wit:

Ratio for House  
of Representa-  
tives.

The Fifth, Sixth, Seventh, Eighth, Ninth and Tenth wards of the city of Philadelphia, shall be entitled to four members.

The First, Second, Third, Fourth, and from the Eleventh to the Twenty-fourth ward of said city, inclusive, shall be entitled to thirteen members, and the return judges in all said wards shall meet at the state house in said city.

The county of Delaware shall be entitled to one member.

The county of Chester to three members.

The county of Montgomery to three members.

The county of Bucks to two members.

The county of Northampton to two members.

The counties of Lehigh and Carbon to two members; and the return judges shall meet at the court house in the borough of Allentown, in the county of Lehigh.

The counties of Monroe and Pike to one member; and the return judges shall meet at the court house in the borough of Stroudsburg, in the county of Monroe.

The county of Wayne to one member.

The county of Luzerne to three members.

The county of Susquehanna to one member.

The county of Bradford to two members.

The counties of Wyoming, Sullivan, Columbia and Montour to two members; and the return judges shall meet at the court house in the borough of Bloomsburg, in the county of Columbia.

The counties of Lycoming and Clinton to two members; and the return judges shall meet at the court house in the borough of Williamsport, in the county of Lycoming.

The county of Centre to one member.



The county of Mifflin to one member.

The counties of Union, Snyder and Juniata to two members ; and the return judges shall meet at the court house in the borough of Middleburg, in the county of Snyder.

The county of Northumberland to one member.

The county of Schuylkill to three members.

The county of Dauphin to two members.

The county of Lebanon to one member.

The county of Berks to three members.

The county of Lancaster to four members.

The county of York to two members.

The counties of Cumberland and Perry to two members ; and the return judges shall meet at the court house in the borough of Carlisle, in the county of Cumberland.

The county of Adams to one member.

The counties of Franklin and Fulton to two members ; and the return judges shall meet at the court house in the borough of Chambersburg, in the county of Franklin.

The counties of Bedford and Somerset to two members ; and the return judges shall meet at the court house in the borough of Somerset, in the county of Somerset.

The county of Huntingdon to one member.

The county of Blair to one member.

The county of Cambria to one member.

The county of Indiana to one member.

The counties of Armstrong and Westmoreland to three members ; and the return judges shall meet at the court house in the borough of Greensburg, in the county of Westmoreland.

The county of Fayette to one member.

The county of Greene to one member.

The county of Washington to two members.

The county of Allegheny to five members.

The counties of Beaver and Lawrence to two members ; and the return judges shall meet at the court house in the borough of Beaver, in the county of Beaver.

The county of Butler to two members.

The counties of Mercer and Venango to two members ; and the return judges shall meet at the court house in the borough of Mercer, in the county of Mercer.

The counties of Clarion and Forest to one member ; and the return judges shall meet at the court house in the borough of Clarion, in the county of Clarion.

The counties of Jefferson, Clearfield, Elk and M'Kean to two members ; and the return judges shall meet at the court house in the borough of Ridgway, in the county of Elk.

The counties of Crawford and Warren to two members ; and the return judges shall meet at the court house in the borough of Meadville, in the county of Crawford.

The county of Erie to two members.

The counties of Potter and Tioga to two members ; and the return judges shall meet at the court house in the borough of Wellsborough, in the county of Tioga.

SECTION 4. The senators and representatives shall be chosen by the duly qualified citizens of the city of Philadelphia, and of the several counties of this commonwealth, at the time, places,

and in the manner prescribed by the constitution and the laws of this commonwealth.

SECTION 5. The senators shall be chosen in the several districts, at the following times, to wit :

Time of choosing  
senators.

In the first district, composed of the consolidated city of Philadelphia, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and fifty-seven ; one senator at the general election, in the year of our Lord one thousand eight hundred and fifty-eight, and two senators in the year of our Lord one thousand eight hundred and fifty-nine.

In the second district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the third district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the fourth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the fifth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the sixth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the seventh district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the eighth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the ninth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the tenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the eleventh district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the twelfth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the thirteenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the fourteenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the fifteenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the sixteenth district, two senators shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the seventeenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the eighteenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the nineteenth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the twentieth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the twenty-first district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the twenty-second district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the twenty-third district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the twenty-fourth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight, and one senator at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the twenty-fifth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-nine.

In the twenty-sixth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-seven.

In the twenty-seventh district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

In the twenty-eighth district, one senator shall be chosen at the general election in the year of our Lord one thousand eight hundred and fifty-eight.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 660.

## A FURTHER SUPPLEMENT

To an act to incorporate the Point Breeze Park Association, approved February eighth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the said Point Breeze park association shall have the power to assess upon each member a sum not exceeding five dollars per annum; and if the same shall not be paid at such time as the board of directors may direct, the privileges of membership of the non-paying members, and the right of transferring his stock, shall be suspended until his assessment shall be paid; and if any assessment or assessments shall not be paid within two years after such assessment or assessments shall become due, then (except in case of absence during an entire assessment year, which shall exempt the absentee from the assessment) the share of stock on which the said assessment or assessments shall remain due and unpaid, may be forfeited by the board of directors, and sold at public auction for the benefit of the association, and any excess of net proceeds arising from said sale shall be paid to such person, his heirs or assigns, on whose account the share has been sold: *Provided,* That at least sixty days' notice shall be given of an assessment being payable, and at least sixty days' notice to a non-paying member, his heirs or assigns, before any sale shall be made under a forfeiture.

Assessments upon members and the mode of collecting the same.

SECTION 2. That the provisions of this act shall not go into effect unless approved of by a majority of members present, at a meeting to be called for the purpose of taking the question into consideration; notice of which shall be given to each member at least one week previous to such meeting, which notice shall have appended to it a copy of the supplement to be acted on.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 661.

## AN ACT

Relative to the York Furnace Bridge Company.

Subscription.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for, and the commissioners of the county of Lancaster be and they are hereby authorized, to subscribe and pay towards re-building the York Furnace bridge, any sum for the said county not exceeding in amount ten thousand dollars; and the said county of Lancaster shall hereby become a shareholder in the said York Furnace bridge company, or in any other company hereafter constituted for the re-building of said bridge, and shall be entitled to any and all dividends declared by any such company on the amount which may be so subscribed and paid: *Provided,* That the grand jury met and inquiring in and for the said county of Lancaster, at April sessions of one thousand eight hundred and fifty-seven, or any subsequent grand jury so met and inquiring, recommend or approve said subscription, within one year from and after the passage of this act.

proviso

Limitation.

SECTION 2. That if the York Furnace bridge company shall within the period of four years from the passage of this act, complete the work of erecting the bridge over the Susquehanna river, at or near York furnace, in the county of York, the rights and privileges hereby granted, or which may have been heretofore granted by any act of assembly of this commonwealth to the said company, shall not revert to or be forfeited to the commonwealth; and that so much of any law or laws of this commonwealth as conflict with this act, be and the same are hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 662.

## A SUPPLEMENT

To an act incorporating the Coudersport, Portage and Allegheny River Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Timothy Ives, Zenas C. Cowley, Orlo J. Hamlin, N. J. Mills, Archibald F. Jones, John C. Backus and Sobieskei Ross are hereby appointed commissioners to open books, receive subscriptions and organize a company in the place and stead of the persons named as commissioners in the act to which this is a supplement. Commissioners.

SECTION 2. That said company shall have power to hold lands in the counties of Potter and M'Kean, or either of them, by gift, purchase or otherwise, not exceeding in quantity five thousand acres at any one time, and the same to lease, grant, sell and convey, upon such terms and at such times, and in such quantities as shall be agreed upon between the said company and such person or persons as shall become a purchaser or purchasers of any or all of said lands, and to cause the president of said company to sign and affix the corporate seal of said company, attested by the treasurer, to any covenant, deed or other assurance necessary in law for granting title to the same, as often as all or any portion of said lands are sold or otherwise disposed of. May hold lands

SECTION 3. That said company shall have the right to extend their railroad from the mouth of the Sinnemahoning Portage creek, to connect with the Sunbury and Erie railroad. Extension of road

SECTION 4. That the said company be and are hereby authorized to borrow any sum of money not exceeding five hundred thousand dollars, on bonds of said company, at an interest not exceeding ten per centum per annum; and to secure the payment of said bonds and interest, said company may mortgage the whole or any part of the lands, tenements, railroad and franchises thereto belonging: *Provided*, That no bond shall be issued for a less sum than one hundred dollars. Borrow money.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 663.

## A FURTHER SUPPLEMENT

To an act incorporating the Buffalo and Bradford Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Buffalo and Bradford railroad company be and are hereby authorized to borrow any sum of money, not exceeding fifteen hundred thousand dollars, on bonds of said company, at an interest not exceeding seven per centum per annum; and to secure the payment of said bonds and interest, said company may mortgage the whole or any part of their road, property, lands, tenements, railroad and franchises thereto belonging; and the said company are authorized to sell or dispose of the said bonds on such terms and at such rates as may be agreed upon between the parties, and may at any time confer on the holders thereof the right to convert the principal and interest thereof into stock of said company: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

May borrow  
money.

Grant and con-  
vey lands, &c.

SECTION 2. That the directors of said company shall have power to grant, sell, convey, lease or mortgage any of the lands belonging to said company, in such quantities and at such prices and terms as may be agreed upon betwixt them and any purchaser or purchasers, mortgagor or mortgagors, and to cause the president of said company to sign and affix the corporate seal, attested by the treasurer, to any covenant, deed or other assurance, necessary in law for granting title to the same, or mortgaging the same, as often as all or any portion of said lands are mortgaged, sold or otherwise disposed of.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 664.

## A SUPPLEMENT

To the act Regulating Railroads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That no lateral or private railroad leading from any ore mine, coal mine, or limestone or other quarry, now having the right to cross, at grade, the track of any railroad authorized to be built by any special charter granted by this commonwealth, shall be permitted to cross such track of such chartered railroad at more than two crossings, or with more than a double track; and the proprietors of any such lateral or private railroad leading from any single mine, opening or tunnel, shall, at the point of crossing such chartered railroad, be confined to a double track; and the company owning such chartered railroad shall have the right, in any case, to enforce compliance with the provisions of this section, by refusing to permit more than a double crossing as aforesaid.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 665.

## A N A C T

In Relation to Bills of Exchange.

WHEREAS, Doubts exist whether drafts or bills of exchange drawn at sight, are payable on presentation or only after three days of grace, and it is desirable that all such questions should be definitely settled; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter all drafts and bills of exchange drawn at sight, shall*

be and become due and payable on presentation, without grace, and shall and may, if dishonored, be protested on and immediately after such presentation.

SECTION 2. That the presentment for payment of any bill or bills of exchange, made or to be made elsewhere than in this commonwealth, at an office or house referred to only in the margin of the bill, or below the name of the drawee, shall not be so construed as to charge the endorsers for non-payment, unless such office or house was at the date of the bill the actual place of business or residence of the drawee, or is distinctly expressed as such in the said reference, or unless it appear by the certificate of protest that upon diligent inquiry the place of business or residence of such drawee could not be found.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 666.

## AN ACT

To Establish a Ferry over the North Branch of the Susquehanna river, at Bowman's Eddy, in the township of Wysox, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Chester Pierce, his heirs and assigns, shall have the privilege, at his own expense, to keep good and convenient landings on both sides of the Susquehanna river at Bowman's eddy, in the township of Wysox, Bradford county, and use the river between said landings as a public ferry.

Ferry authorized

To be kept in good order.

SECTION 2. That the said Chester Pierce, his successors and assigns, shall keep the said landings and ferry in good order and repair, fit for transportation and passage of travelers, teams and carriages; and shall keep good and substantial boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of conveying passengers, teams and carriages across said river, with all reasonable diligence and care.

Tolls.

SECTION 3. That the said Chester Pierce, his successors and assigns, shall have the right to keep, extend across said river at said place, a wire rope to facilitate crossing; and as a remuner-

ation for keeping up and in good repair said landings and rope ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals as are received by other ferries of like import crossing the said river: *Provided*, That the rope wire shall not be so extended as to interfere with, or obstruct the navigation of said river; and nothing in this act contained, shall be so construed as to authorize them to receive or discharge any travelers, cattle or carriages, et cetera, as aforesaid, on land on either side, excepting the public highway, without the consent of the owner or owners thereof.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any ropes, wire or other property belonging to said ferry, he, she or they so offending, shall pay to the said Chester Pierce, his successors and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Chester Pierce, his successors and assigns, to be recovered as debts of like amount are now by law recoverable. Penalty for injury to ferry.

SECTION 5. That all persons are hereby prohibited from using the said river, for the purpose of a ferry, for three hundred yards below or above said ferry; and any person or persons violating the provisions of this section, shall forfeit and pay to the said Chester Pierce, his successors and assigns, the sum of fifty cents for every traveler, team, head of cattle, horse or carriage carried over the said river, within the above prescribed bounds: *Provided*, That nothing in this act contained, shall be so construed as to prevent persons owning the shore within the said limits, from transporting persons and property free of charge. Prohibition.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 667.

## A SUPPLEMENT

To an act for the Regulation and Continuance of a System of Education by Common Schools.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the borough and township auditors, in ad-*



Settlement of ac-  
counts of school  
treasurers.

dition to the duties now imposed upon them by law, to settle annually the accounts of the school treasurers of the different school districts in this commonwealth; and that either party may take an appeal, as is now provided for in other cases of settlement of accounts by township auditors: *Provided*, That this act shall not apply to the city and county of Philadelphia.

Appeal.

Tax.

SECTION 2. That hereafter the tax imposed by section thirty of the act approved May eighth, one thousand eight hundred and fifty-four, for the regulation and continuance of a system of education by common schools, on trades, professions and occupations, or on single freemen, shall in no case be less than one dollar.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 668.

## AN ACT

To incorporate the West Philadelphia Mutual Saving Fund and Trust Company.

Corporators.

Style.

Privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Albert S. Ashmead, Alfred B. Justice, Samuel Hutchinson, William Gallaher, M. D., J. W. Van Houten, Edwin Earp, Henry A. Dreer, J. P. Bruner, E. W. Shippen, William H. Denuis, John R. Gheen, John S. Twells, Hugh M'Ilwain, and all and every other person or persons who may hereafter become stockholders in the West Philadelphia mutual saving fund and trust company, be and they are hereby created and made a body politic and corporate in fact and in law, by the name, style and title of the West Philadelphia mutual saving fund and trust company, and that the said corporators hereby have full powers to receive subscriptions to the stock and organize the company; and they and their successors shall and may have continual succession, and be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places whatsoever, in all manner of actions, suits, complaints, matters and causes whatever; and they and their successors may have and use a common seal, make and change, and alter the same at their plea-

sure ; and also they and their successors, by the same name and style, shall be in law capable of purchasing, holding and conveying any estate, real or personal, for the use of the said corporation : *Provided*, That the real estate shall be only such as shall be necessary to accommodate the said corporation in the transaction of the business thereof, or shall be taken and held as security for the payment of debts due the corporation, and that the yearly income of the said real estate shall not at any time exceed ten thousand dollars ; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the laws of the United States or of this state, and generally to do all and singular the matters which to them shall lawfully appertain to do for the well being of the said corporation, and the management and ordering of the affairs thereof.

SECTION 2. That the capital stock of the said corporation shall consist of five thousand shares of fifty dollars each, to be paid to the president or directors for the use of the said corporation, at such time or times as they the said president and directors shall in their discretion direct and appoint, not exceeding one dollar per week as provided by the by-laws of said company ; and if any subscriber shall refuse or neglect to make the first payment as directed, he or she shall cease to be deemed a subscriber or member of the said corporation, and his or her subscription shall be opened, and new subscription received for the number of shares so forfeited ; and if any subscriber, his or her assignee or transferee, shall refuse or neglect to make any subsequent payment, called for and demanded by the president and directors, such subscriber, his or her assignee or transferee, shall pay an interest on the amount of such instalment, at the rate of ten per cent. per month, for the time the payment of the said instalment shall be deferred or delayed after the time the same shall have been directed to be paid as aforesaid ; and if the said instalment, together with interest thereon at the rate aforesaid, shall not be paid within three months from the time it shall have been so called for, each and every share or shares on which such default shall have been made, together with the sum or sums previously paid thereon, shall be forfeited, and new subscriptions may be opened and received for the share or shares so forfeited : *Provided*, That at least one thousand shares shall have been subscribed before said corporation shall have power to transact business, and that the shares of stock of the said corporation shall be assignable and transferable according to such rules and regulations as the president and directors shall ordain and establish, and that the said corporation may increase their capital stock to any sum not exceeding five hundred thousand dollars, if the holders of two-thirds the stock shall at any of their meetings, regularly convened, so order, and the increase shall be subscribed for in such manner and on such terms as the president and directors shall direct.

SECTION 3. That for the well ordering of the affairs of the said corporation there shall be thirteen directors, holding at least two shares each in their own right, elected annually on the first Monday of December by the stockholders, at their general meeting

for that purpose assembled; and the directors at their first meeting after each election shall choose one of their number president, and in default of such election of directors the former directors shall continue in office until an election takes place at a meeting duly convened, and said directors shall have power to fill vacancies that may occur in the board: *Provided*, That the first board of directors shall be the corporators named in the first section of this act, who shall hold their offices until the first Monday of December, in the year of our Lord one thousand eight hundred and fifty-seven, and until new directors shall be chosen; and the said first directors shall, within ten days after the passage of this act, meet and appoint their president; and the directors of the said corporation for the time being shall have power to appoint such officers, clerks, agents and other persons as shall be necessary for conducting and executing the business of the said corporation, and to allow the said persons so appointed such compensation for their services respectively as shall be deemed reasonable, and generally to exercise all other powers and authorities for well governing and ordering the affairs and funds of the said corporation, and declaring and paying such dividends as to them may appear safe and advisable.

Votes.

SECTION 4. That the votes of the stockholders for directors shall be by ballot; and for the election of directors, and for deciding all questions in a general meeting of the stockholders, the ratio of votes shall be as follows, to wit: One vote for every share of stock not exceeding ten shares, and one vote for every five shares exceeding the number of ten which may be held by any one stockholder; nor shall any stockholder vote at any election for directors, unless the share or shares upon which he or she may claim to vote, shall have been standing in his or her name on the books of the said corporation for at least three months previous to such election, and such stockholder may vote by proxy.

Trust powers.

SECTION 5. That the said corporation be authorized and empowered to accept and receive moneys or other property, real or personal, in trust or on deposit, to accumulate the interest or income thereof, at such rates and in such manner as may be agreed on, and to allow and pay such interest or income therefor and thereon as may be stipulated and agreed on between the parties, not exceeding the legal rate of interest; and also to accept and execute trusts of any and every description which may be committed or transferred with their consent to them by any person or persons whatever, bodies corporate or politic, or by any court of the United States or of the commonwealth of Pennsylvania.

Meetings of directors.

SECTION 6. That the board of directors shall meet at such times and transact the business of said corporation by such a quorum as may be provided for in the by-laws.

Investment of funds.

SECTION 7. That it shall and may be lawful to invest the capital stock of the said corporation, and all moneys received in trust, or for any other transaction authorized by this act, in the funded debt of the United States, or of any of the United States, or of any city or incorporated borough of this state, or in the stock of any chartered or incorporated bank, or in the stock or loan of any chartered or incorporated canal, navigation, bridge or road

company, or any company that now is or hereafter may be incorporated by this state or the United States, or in the purchase of any ground rents or mortgages, or in any loans on good and sufficient security, or in such real estate as may be taken in execution for debt: *Provided*, That the income of said real estate does not exceed the value of ten thousand dollars yearly, and also to sell and dispose of, and transfer the said stocks and securities, and convey such real estate: *And provided further*, That said corporation shall not issue any note or paper in the similitude of a bank note, nor invest its capital stock, assets, or other moneys, in the purchase and discount of any promissory note, bill of exchange, or other negotiable paper, and that no loan upon stocks or other securities as aforesaid, shall exceed two-thirds of the market value of said collateral.

SECTION 8. That the said corporation shall and may, whenever required so to do, issue certificates for the amount of all moneys deposited with them in trust, which certificates shall be assignable and transferable on the books of the said corporation, under such regulations as may be prescribed by the president and directors. Certificates of deposits.

SECTION 9. That the stockholders of the said company shall be jointly and severally liable in their individual capacities for all debts due to depositors; said liability to be enforced as provided by an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty. Liability.

SECTION 10. That if the privileges hereby granted shall at any time hereafter prove injurious to the public welfare, the legislature shall have power to alter or repeal this act. Repeal.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 669.

## A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the Mill Creek and Mine Hill Navigation and Railroad Company, passed the seventh day of February, Anno Domini one thousand eight hundred and twenty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the Mill Creek and Mine Hill navigation and railroad company be and they are hereby authorized and empowered to extend and continue their railroad into the Mahanoy coal region by one or more branch roads, each branch not to exceed fifteen miles in length ; and to enable said company so to extend their road, they are hereby authorized and empowered to increase their capital stock in the sum of one million and a-half of dollars: *Provided*, That the said company shall commence said road within two years, and complete the same within four years from the passage of this act.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 670.

# AN ACT

For the Relief of the Widow of George W. Maxton, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized to pay to Margaret Maxton, widow of George Maxton, deceased, who was killed while in the service of the commonwealth, on the Columbia and Philadelphia railroad, the sum of three hundred dollars.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 671.

## A N A C T

To authorize the Canal Commissioners to Examine the Claim of Peter Wagner.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized and required to examine the claim of Peter Wagner, of Luzerne county, for damages done him in the construction of the North Branch canal, and report the amount of damages sustained by him to this legislature.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 672.

## A N A C T

For the relief of S. P. Johnson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby directed to pay S. P. Johnson two hundred and eighty-nine dollars and fifty cents, for damages sustained by reason of a collision on the Philadelphia and Columbia railroad, as per award of canal commissioners, in a communication dated May third, one thousand eight hundred and fifty-five.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 673.

## AN ACT

To authorize the State Treasurer to Pay the Claim of A. K. & A. L. Witmer, for damages sustained on the Philadelphia and Columbia Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby required to pay to A. K. & A. L. Witmer the sum of eight hundred and seventy-seven dollars and fifty cents, for damages sustained by the destruction of their cars on the Philadelphia and Columbia railroad, as per award the canal commissioners, dated third March, one thousand eight hundred and fifty-four: Provided, That the said parties shall, before the payment of said amount, execute a release to the commonwealth, to be filed in the office of the auditor general, for all claims for damages arising from said collision and prior thereto.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 674.

## AN ACT

Changing the Time of Holding the Borough Elections in Punxsutawney, Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be lawful for the citizens of the borough of Punxsutawney to hold their annual borough elections on the first Friday in February of each year;*

and that any law contrary to the provisions of this act, be and the same is hereby repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 675.

## AN ACT

Relative to Commission Merchants.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* commission merchants and agents of parties not residing in this commonwealth, be and they are hereby authorized to enter into an agreement to retain the balances of money in their hands, and pay on the same a rate of interest not exceeding seven per centum per annum, and receive a rate of interest not exceeding that amount, for any advance of money made by them on goods or merchandize consigned to them for sale or disposal: *Provided, That this act shall only apply to moneys received from or held on account of, and advances made upon goods consigned from importers, manufacturers and others living and transacting business in places beyond the limits of the state.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 676.

## A SUPPLEMENT

To the act, entitled "An act to incorporate the American Trust Company, for the Protection of Immigrants and the Investment of Funds."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the object and powers of the American trust company, for the protection and advice of immigrants and the investment of funds, shall comprehend and extend to citizens and residents in general of the United States as fully as to immigrants and foreigners; but the said company are hereby prohibited from receiving from citizens and residents as aforesaid deposits of money, and from investing and using moneys or other assets belonging to or entrusted to them in the purchase or discount of any bill of exchange, promissory note or other negotiable paper.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 677.

## A SUPPLEMENT

To an act relating to Banks, Saving, Trust and Insurance Companies, approved November sixth, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* to the end that the full intent and purpose of the act to which this is a supplement may be accomplished, and that the notes of other states may be forced to give place to the secure issues of the banks of this commonwealth, the thirtieth section of the act approved the sixteenth April, one thousand eight hundred and fifty, entitled "An Act regulating banks," be and the same is hereby extended to all persons holding licenses as brokers under the laws of this commonwealth, or who may be transact-

ing the business of private bankers, so far as to prohibit the parties aforesaid from paying out said notes in the purchase or discount of any bill of exchange, promissory note or other negotiable paper: *Provided*, That nothing herein contained shall authorize any broker or brokers holding a license as such, or any person engaged in the business of private banking, to create any bank note or certificate in the similitude of a bank note; and any person, broker or banker who shall violate any of the provisions of this act shall be held to have committed a public misdemeanor, and on conviction thereof shall be imprisoned for a period not less than ten nor more than sixty days, at the discretion of the court, and fined in any sum not exceeding five hundred dollars and not less than one hundred dollars.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 678.

## AN ACT

To Improve the Navigation of the Oswayo Creek, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for Thomas J. Burdick, or any other person or persons interested in the navigation of the Oswayo creek, in the county of Potter, to alter and straighten the channel of said creek, from a point in the centre of said stream south seventy-one and one-half degrees east sixteen perches, from the north-west corner of a lot in warrant number twenty-one hundred and seventy-six, known as the post lot, being in Sharon township, in said county; thence north eighty-two degrees west about forty perches, into the head of a wash or gully that leads into the head of Thomas J. Burdick's mill pond.

SECTION 2. That the said Thomas J. Burdick, or any others interested in the navigation of said Oswayo creek, shall have the privilege of driving spiles and booming, so as to leave a channel fifty feet wide on the south side of said Burdick's mill



pond, from the east line of said Burdick's land down to the saw mill of said Burdick.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 679.

### A SUPPLEMENT

To an act to appoint Commissioners to view, lay out and construct a State Road in Chester and Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Robert Baldwin, Evan Jones and Abraham N. Turner, the commissioners named in the act to which this is a supplement, shall have authority to lay a tax and collect it, for the purpose of defraying the expenses of constructing said road, from the citizens of the townships through which it may pass, in the same manner as the supervisors now lay the tax, and shall settle their accounts with the auditors in the same manner.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 680.

## AN ACT

For the repair of the Horse Race Dam, on the Upper North Branch Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of thirty thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any moneys in the treasury, to be used in repairing the damages done to the Horse Race dam, in the Susquehanna river, on the Upper North Branch canal.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 681.

## A FURTHER SUPPLEMENT

To an act to Provide for the Erection of a Dam and Out-let Lock at the mouth of Mill Creek, in the county of Luzerne, approved the fifth day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of quarter sessions of Luzerne county, upon application made by one or more parties interested, shall have power to appoint three disinterested persons as viewers, who shall, upon four weeks' notice published in one paper in the borough of Wilkesbarre, go upon and assess the damages accruing to the holders of real estate affected, or to be affected by the construction of the said dam and in-let lock at the mouth of Mill creek, taking into consideration the benefits arising to them; which view, when so made, shall be reported to the next court of quarter sessions, and be confirmed nisi, and at the next sessions*

Viewers to appraise damages.

thereafter absolutely, unless some legal reasons otherwise be shown to the court ; when the report as aforesaid is confirmed, and the amount of damages paid, or secured to be paid to the satisfaction of the canal board, in accordance with the provisions of the act to which this is a further supplement, the canal commissioners shall immediately proceed to construct the dam and in-let lock, as contemplated by the act of assembly, ample security, approved by the court, being first tendered, payable in one year after the work is completed, to the persons incurring damages as aforesaid.

Construction of  
dam.

Tolls.

SECTION 2. That the canal commissioners are hereby authorized to charge double the usual amount of tolls upon the said improvement to all persons using the same, till the original cost of the construction of the work is fully paid, and after that, then only so much as may be necessary to pay the expenses of repairs.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 682.

## A N A C T

To incorporate the Bristol Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Allan Downing, Lewis T. Pratt, George Griscom, Nathan Gaskill, Robert Smith, William M. Downing, William F. Pratt be and are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to establish a water company, by the name, style and title of the Bristol water company, to be located at or near the borough of Bristol, in the county of Bucks, for the purpose of introducing from the Delaware river or other convenient source into the said borough of Bristol a sufficient supply of pure and wholesome water ; said company to have a capital of fifty thousand dollars, divided into one thousand shares of fifty dollars each ; and shall be organized and managed under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno*

Domini one thousand eight hundred and fifty-seven, and any supplement thereto.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 683.

## A SUPPLEMENT

To an act to incorporate the Mountain Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Hughes, John Sharpless, J. M. Wetherill, A. E. Straub, Charles A. Pancost, George J. Lincoln, Charles M. Hall and David P. Brown, and their associates, are hereby authorized and empowered in lieu of the persons named in the act to which this is a supplement, and they shall have and possess all the rights, privileges and powers therein granted, as fully as though they had been originally named in the said act; and that the said company shall have the right to own coal, iron and other mineral lands, not exceeding in quantity two thousand acres, and of wood and timber lands not exceeding three thousand acres in the township of Sugar Loaf, in the county of Luzerne, and in the township of Union, in the county of Schuylkill. Corporators.

SECTION 2. That the rate of interest authorized by the twelfth section of the said act on the bonds of the said company, may be any sum not exceeding ten per centum per annum. Interest.

SECTION 3. That the said company shall be authorized to hold an office in the city of Philadelphia, and that the first election for directors of the said company shall be held at such time and place as the corporators herein named shall determine, upon three weeks' notice thereof published in one paper in the counties of Luzerne or Schuylkill, and one paper in the city of Philadelphia. Office.

SECTION 4. That the said company shall have the power and authority to construct railroads from their mines and lands, situate in the township of Sugar Loaf, in the county of Luzerne, and in Union township, in the county of Schuylkill, to connect with the Hazleton, Beaver Meadow, the Quakake and Cattawissa, Williamsport and Elmira railroads, and their laterals: *Provided*, That whenever, in the construction of said road or Railroads.

roads, it shall be necessary to cross or intersect any established road or way, it shall be the duty of the president and directors of said company to construct the said road across such established road or way, as not to impede the passage or transportation of persons or property along the same. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, a bonus of one half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law; and the stockholders of the said company shall be jointly and severally liable in their individual capacities for all debts and contracts made by said company to the amount remaining unpaid on each share of stock held by them respectively; and also for all debts due mechanics, workmen and laborers employed by, and for materials furnished to, said company, to be sued for and collected as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 684.

## A SUPPLEMENT

To an act to incorporate the Donegal Iron Company, approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the Donegal iron company to issue and sell corporate bonds not to exceed two hundred thousand dollars, to be secured by a mortgage of the whole or any part of the property of the company, in such form and amounts, and payable at such periods, and bearing such rate of interest as said directors may determine, and to dispose of the said bonds, or any of them, at such rate as they may deem expedient: Provided,*



That no bond shall be of a less amount than one hundred dollars.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 685.

### A SUPPLEMENT

To an act to incorporate the Sunbury and Erie, and Pittsburg and Susquehanna Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Sunbury and Erie railroad company be and the same is hereby authorized to borrow money, and issue their first mortgage bonds therefor, to any amount not exceeding eight millions of dollars. Borrow money.

SECTION 2. That whenever the said company shall find it necessary in constructing the said road to change the course of any stream of water, it shall be lawful for them to do so: *Provided,* That no stream be diverted from its natural channel further than may be necessary to aid in the construction of said road: *And provided further,* That no injury be done thereby to any mill, mill seat, factory or machinery whatever that may be located thereon; and the proviso to the second section of the act to which this is a supplement is hereby repealed, except so far as it restrains the said company from banking privileges. Change course of streams.

SECTION 3. That the penalty of ten per centum per month imposed upon the stockholders of the Sunbury and Erie railroad company for delay in the payment of instalments of the capital stock after the time appointed for the payment thereof, as provided in the eighth section of the act incorporating the said company, shall be and the same is hereby reduced to one per centum per month for the delay of such payment; and it shall be the duty of the president and managers to enforce payment of all instalments on the said capital stock, together with the said penalty, or declare any stock forfeited to the use of the company upon which any instalment shall remain unpaid, according to the provisions of the said act. Penalty reduced.

SECTION 4. That in consideration of the advantages which the commonwealth will derive from the completion of the said railroad by the improvement of the country through which it will Exemption from taxation.

pass, and the consequent increase of the public revenues, the bonds issued and to be issued by the said company under its charter, and all municipal bonds now owned by the said company or hereafter to be issued in payment of subscriptions to their capital stock, and the property, real and personal, which the said company now holds or may acquire, shall be exempt from taxation until the completion and equipment of the said road: *Provided*, Said exemption shall not continue longer than ten years from the passage of this act, for which period the time for the completion of said road with one or more tracks, is hereby extended.

Limitation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 686.

## A N A C T

To authorize the Little Schuylkill Navigation, Railroad and Coal Company to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Little Schuylkill navigation, railroad and coal company be and is hereby authorized to borrow any sum of money not exceeding one million of dollars, upon such terms, and payable at such time or times, and at such rate of interest as may be agreed upon by the lender or lenders and borrower thereof; and to secure the payment of such loan or loans, said company shall have the power to mortgage all its estate, real and personal, powers and corporate franchises.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 687.

## A FURTHER SUPPLEMENT

To the act to incorporate the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the tenth section of the charter of the said company, as requires the payment of a dividend ten days after its declaration, be and the same is hereby repealed; and that each dividend that may hereafter be declared, shall be paid to the stockholders, or their legal representatives, on application at the office of said company, at any time not exceeding thirty days after its declaration, as the board of directors may fix.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 688.

## A N A C T

To Vacate a certain part of the State Road leading to New Brighton from Allegheny city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that part of the old New Brighton state road lying and situated on H. S. Fleming's land, and being eastwardly of the line of lots numbers two hundred and two hundred and seventeen in the plan of the reserve tract opposite Pittsburg, be and the same is hereby declared vacated.

SECTION 2. That all that part or portion of said Allegheny and New Brighton state road, situated on the property of Michael Guyer, in Ross township, be and the same is hereby declared

vacated, the same being supplied by the Allegheny and New Brighton plank or Macadamized road.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 689.

#### A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a Company to erect a Bridge over the Allegheny River, at or near Sharpsburg, Allegheny county, approved the thirteenth day of March, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the provisions contained in the sixth section of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby extended to and made part of the act incorporating a company to erect a bridge over the Allegheny river at or near Sharpsburg, approved the thirteenth day of March, one thousand eight hundred and thirty-eight.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 690.

## AN ACT

To authorize the Trustees of the First Colored Wesley Methodist Church and Congregation of Columbia, to convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a majority of the trustees of the First Colored Methodist church and congregation of the borough of Columbia, be and they are hereby authorized and empowered to convey by good and lawful deed or deeds, in fee simple, to William Waters, all that part of a lot of ground situated in the borough of Columbia, in the county of Lancaster, and now in the possession of said William Waters, bounded on the east by the church lot of said congregation; on the north by an alley; on the west by a fourteen feet alley, and on the south by ground of said Waters; the said lot or piece of ground fronting westwardly on said fourteen feet alley, twenty-eight feet six inches, and extending back eastwardly eighty-six feet, and being part of the premises or piece of ground conveyed to the trustees of said church or congregation, by deed dated the third day of April, Anno Domini one thousand eight hundred and forty-eight, by Frederick Casper; and said trustees are hereby authorized and empowered to receive from said Waters, in consideration for the conveyance aforesaid, a good and lawful deed or deeds for all that lot or piece of ground in the borough of Columbia aforesaid, situated south of the lot and church now owned and occupied by said congregation, and bounded on the east by Fifth street extended, and fronting on said Fifth street twenty-eight feet and six inches, and extending back westwardly, the same width, eighty-six feet to other lands of said Waters, being part of the piece or lot of ground which was conveyed to said Waters by Frederick Casper, by deed dated the fourth day of April, Anno Domini one thousand eight hundred and forty-eight.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 691.

## AN ACT

To lay out a State Road in Clarion and Venango counties.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jesse Teats and John Sloan, of Clarion county, and Samuel Powell, of Venango county, be and the same are hereby appointed commissioners to view, lay out and mark a state road, beginning at Rimersburg, in Clarion county, thence by the best route via Curlsville, Keeversburg, Clarion and Tylersburg, to a point two miles within the limits of Venango county, crossing the county line near Daniel Walters'.

Duties.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground or the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners, or a majority of them, are hereby enjoined to employ one surveyor at a per diem allowance not exceeding three dollars, two chain carriers at a per diem allowance not exceeding one dollar and fifty cents each, and the said commissioners respectively shall receive a per diem allowance not exceeding two dollars and fifty cents for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county.

Drafts.

SECTION 3. That it shall be the duty of said commissioners to make out two fair and accurate drafts of the location of said road, respectively, noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy whereof to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of January next; and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty feet, and at a grade of three degrees, if practicable, and not to exceed four degrees from a horizontal plane, and be repaired as all other roads laid out by the courts are made and repaired.

Vacancies.

SECTION 4. That the said commissioners shall proceed as soon as practicable to complete the location of the said road; and if any vacancy occur in their number by death, resignation or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting suitable person or persons to constitute a board of at least three members.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road shall pass, upon notice given, to proceed to open and make said road, under the same provisions as if the said road had been laid out by the respective courts of quarter sessions. Opening of road.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 692.

## A SUPPLEMENT

To an act relative to Bridges in Lancaster county, passed the twenty-seventh day of February, Anno Domini one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all bridges which have been or hereafter shall be erected or purchased at the expense in part or in the whole of the county of Lancaster, and which are or shall be situated upon the route of any turnpike road, and used by the company owning such turnpike road, shall be kept in repair by the turnpike company upon whose road such bridges are or shall be built and used.

SECTION 2. That if any such turnpike company shall neglect to keep such bridge in good traveling order and repair for the space of thirty days, it shall be the duty of the supervisors of the township in which the parts of such bridge needing repairs are situated, to give notice thereof in writing to the gate-keeper nearest whose gate such bridge is located, designating in such notice the nature of the repairs necessary to be done; and if such company shall still neglect for the further space of thirty days to properly repair such bridge, it shall be the duty of said supervisors to give immediate notice thereof in writing to the commissioners of the county of Lancaster, and thereupon the said commissioners shall proceed to properly repair such bridge, and shall recover the amount of such repairs, when completed, from such turnpike company, as debts of like amount are by law recoverable; and for neglect of the duties enjoined upon them by this act, the supervisors shall be liable to the same penalties and under the same conditions as are provided for neglect of the

duties enjoined upon them by the act to which this is a supplement.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 693.

# AN ACT

Relative to Elections in the borough of Birmingham, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and town council of the borough of Birmingham, in the county of Allegheny, shall be required on or before the first day of July, Anno Domini one thousand eight hundred and fifty-seven, to divide said borough into two election precincts or districts of equal population, as near as may be, and shall appoint a suitable place for holding the elections in each of said precincts or districts; and the judges and inspectors shall be elected in each of said precincts or districts by the qualified voters thereof, in the manner and at the time now required by law, and the county commissioners shall furnish the necessary boxes, papers and blanks for holding the elections in each of said precincts or districts; and they shall also furnish a list of taxable inhabitants of each precinct or district, as now required by law: Provided, That the election officers chosen at the last borough election shall serve in one of said precincts, as may be designated by the council; and the court of quarter sessions shall appoint a judge and two inspectors for the other precinct, to serve until after the next borough election.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred fifty-seven.

JAS. POLLOCK.

No. 694.

## AN ACT

For the relief of James M'Donald, an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay James M'Donald, of Armstrong county, a gratuity of forty dollars and an annuity of forty dollars during the term of his natural life, commencing on the first day of January, one thousand eight hundred and fifty-seven, and payable half yearly on the first days of January and July in each year.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 695.

## AN ACT

To incorporate the Santiago Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James S. Pringle, Thomas Neilson, Ephraim Clark, junior, P. S. Fox, Charles S. Williams and William J. Morris, their associates and successors, be and are hereby made a body politic and corporate in deed and in law, by the name, style and title of the Santiago mining company, with a capital not exceeding fifty thousand dollars; which corporation shall be empowered to accept a lease of the lands and rights of the New Granada mineral land company, and enjoy all the privileges of said company, and be subject to all the liabilities contained in an act approved the third day of April, Anno Domini one thousand eight hundred and fifty-

six, entitled "An Act to incorporate the New Granada mineral land company."

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No 696.

# AN ACT

Authorizing the restoration and increase of the Capital Stock of the Manufacturers' and Mechanics' Bank of the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Manufacturers' and Mechanics' Bank of the city and county of Philadelphia be and it is hereby authorized to increase its capital stock to its former amount of six hundred thousand dollars, and that the said bank shall have the right further to increase the said capital stock to one million of dollars, and the additional capital stock hereby authorized shall be divided among such of the stockholders as may elect to take the same, upon sixty days' notice in at least two daily newspapers published in the city of Philadelphia, in proportion to their respective shares; and if any of the said increased stock shall not be taken by the stockholders, the same shall be sold by the said bank at public sale by auction to the highest bidder, in quantities not exceeding five thousand dollars each: Provided, That said bank shall pay into the treasury of this commonwealth three per centum on the amount of its increase of capital.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 697.

## AN ACT

To incorporate the Mutual Saving and Loan Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel McFadden, William B. Morrell, James W. Early, Robert B. Salter, William D. Cozzens, James W. Ballenger, Luke Duffell, Alexander Casely, Phillip S. Dubosq, John Fritchett, Charles Swope, Albert Ulmer, James Ashbrook, William W. Barnes, E. P. Molineaux, Peter Lamb, Charles Clare, Robert W. Bernard, Oliver P. Glessner, Henry Packer, William Richardson, Luke Scott, John Salin, Richard Evans, James P. Gregory, Jacob Bartholomew, Samuel J. Ray, and their successors, are hereby created and made one body politic and corporate in law, by the name, style and title of the Mutual Savings and Loan association of Philadelphia, and by the same shall be known, and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to make and have a common seal, and the same to alter and renew at pleasure; and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well being of said corporation, and for that purpose have adopted the following articles, to wit:

## ARTICLE I.

This corporation shall be called the Mutual Saving and Loan association of Philadelphia, and the members thereof shall be white persons of the age of twenty-one years and upwards, residents of the United States; females and minors may hold stock in the name of trustees or guardians.

## ARTICLE II.

The object of this corporation shall be the mutual benefit of the corporators by the accumulation of a fund by weekly payment of dues, fines and premiums, and interest on loans, for the purpose of loaning the same to the members for their mutual accommodation and benefit; such weekly instalments not to exceed two dollars on each share. When every share of stock, by reason of this accumulation, shall be entitled to be worth fifty dollars, the said weekly instalments shall cease, and the stock shall remain in the corporation as a permanent fund; in furtherance of its object, dividends shall be declared, and paid thereon at the expiration of every six months from the time said weekly instalments shall cease.

## ARTICLE III.

The number of shares of stock in this corporation shall not exceed two thousand shares each; and every stockholder, for each and every share of stock they may hold, shall pay at each

and every stated meeting of the board such sum as the by-laws may prescribe, not exceeding two dollars, to the secretary or such other person or persons as shall, from time to time, by the by-laws or regulations of the association, be authorized to receive the same.

In case any stockholder shall neglect or refuse to pay his weekly dues and interest as often as the same shall be payable as aforesaid, each and every stockholder so neglecting or refusing shall forfeit and pay the additional sum of two per centum per week for each and every neglect.

In case any stockholder or stockholders (not having a loan) shall neglect or refuse to pay his or their weekly dues and fines for the space of six months, each and every stockholder so neglecting or refusing shall receive from the treasurer the amount of dues actually paid in by him, without any allowance for interest, first deducting all fines and forfeitures that may be charged against him or her, and also a portion of the losses incurred, and from thence cease to be a member of the association. Stockholders having no loan and wishing to withdraw from the association before the time hereinafter provided for, shall be entitled to receive from the treasurer the amount of dues actually paid in by them, first deducting all fines and forfeitures, and a portion of all losses incurred, upon giving two weeks' notice of such intention: *Provided*: That any such stockholder (having no loan) withdrawing after the said corporation shall have been in existence for the space of one year, they shall be allowed interest at the rate of six per centum per annum on the full amount of dues paid in by them, after first deducting all fines and a portion of all the losses incurred by the corporation.

Upon the death of a member having no loan, their heir or legal representatives wishing to withdraw, shall be entitled to receive from the association the amount of dues actually paid in and six per centum per annum interest, first deducting all fines and forfeitures, and a portion of all expenses and losses incurred.

#### ARTICLE IV.

The officers of this corporation shall be a president, vice president, secretary, treasurer, twelve directors, three auditors and a conveyancer, all of whom shall be stockholders, and shall perform such duties as are prescribed for them in this constitution and by-laws made under it.

The president, vice president, treasurer and secretary, by virtue of their offices, and the twelve directors, shall together form a board of directors for the direction and management of the business of the corporation, any five of whom shall constitute a quorum for the transaction of business.

It shall be the duty of the board to meet as often as the by-laws shall designate, for the purpose of receiving the instalments on the stock, and of making loans of the money in the treasury to the members, of examining into the sufficiency of the securities offered for said loans, and accepting or rejecting the same, and whenever they believe it would be profitable to the association, receive from any stockholder or any other person on deposit such sum or sums of money as they may offer, on such terms and subject to such regulations as may be prescribed by

the board of directors; they shall have authority to purchase and cancel any portion of the stock that may be offered for sale, at such premiums as may from time to time be decided upon by the board, and generally of superintending all the financial and other business of the corporation; in furtherance of its object, they shall have power to enact such laws for their own government as are not repugnant to this constitution or the by-laws under it.

#### ARTICLE V.

Each and every share of stock upon which there are no arrears shall entitle the holder thereof to a loan of not more than two hundred dollars, unless otherwise regulated in the by-laws, for any time not less than one month nor more than eight months, upon such security as the board of directors shall deem sufficient and safe.

At the weekly meetings of the board all the moneys of the corporation in the hands of the treasurer at the time shall be loaned out at legal interest, and such premiums as the board of directors or association may direct from time to time; and stockholders borrowing shall secure the payment thereof by giving collateral security such as the corporation or board of directors shall prescribe, and upon conforming to the regulations thereof shall receive the sum to which they are entitled.

#### ARTICLE VI.

The time, place, notice and manner of holding the annual or special meetings of the corporation and of the board of directors shall be regulated by the by-laws: twenty members shall constitute a quorum.

#### ARTICLE VII.

The officers shall be elected by the stockholders at their annual meetings; which shall always be held on the first Friday evening in July in each and every year, to serve for one year, and until their successors shall have been duly elected and installed, unless in case of death, resignation or other vacancy in office, when the board of directors shall have power to fill the vacancy or vacancies for the unexpired term or terms of office. In case of failure to elect an officer or officers at the annual election, an election shall be held to elect such officer or officers at a special meeting called for that purpose by the secretary within thirty days thereafter.

Each stockholder shall be entitled to one vote for one share of stock held by him, two votes for four shares, three votes for six shares, four votes for eight shares, five votes for ten shares; but no stockholder shall be entitled to more than five votes: no female or minor shall be entitled to vote by trustee or guardian. Transfers of stock to enable the holder to vote must be made four weeks previous to an election, nor shall any stockholder be permitted to vote by proxy.

#### ARTICLE VIII.

The stockholders shall enact such by-laws as they may deem expedient, provided the same are not repugnant to this constitution and of the laws of Pennsylvania.

. This constitution shall not be altered or amended except at an annual or special meeting called for that purpose, and by a vote of two-thirds of the stockholders present, which amendment or alteration shall be proposed in writing at a special meeting called for that purpose at least thirty days previous to the meeting in which it or they shall be acted on.

Liability.

SECTION 2. That the stockholders of the said company shall be jointly and severally liable in their individual capacities for all debts due to depositors; said liability to be enforced as provided by an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty.

Prohibition.

SECTION 3. That said corporation shall not issue any note or paper in the similitude of a bank note, nor invest its capital stock, assets, or other moneys in the purchase or discount of any promissory note, bill of exchange or other negotiable paper; and that no loan upon stocks or other securities shall exceed two-thirds of the market value of said collateral.

Limitation.

SECTION 4. That this act shall continue for the period of twenty years, and no longer, unless extended or renewed by the legislature; and the legislature hereby reserves the right to alter or amend this charter, in such manner as to do no injustice to the corporators.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 698.

## AN ACT

To incorporate the Washington Fire and Marine Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That S. H. Butler, J. B. Allen, William Mansfield, Richard Soher and O. C. Butler are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Washington fire and marine insurance company, to be located in the city of Philadelphia, with a capital of fifty thousand dollars, with the right to increase the same to five hundred thousand dollars, divided into shares of fifty dollars

each; which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and transact its business upon the mutual principle, in connection with its joint stock capital as aforesaid.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 699.

## AN ACT

To incorporate the South White Hall Mutual Live Stock Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Tilgman Butz, Peter Schneider, Henry Fogleman, Jesse Shaffer, Reuben Helfrich, George Beisel, Charles Beers, Owen Diefenderfer, William Griesmer, Jacob Bibighaus, David Ruch and Henry Seip, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the South White Hall mutual live stock insurance company, and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere; and also have one common seal, and the same to alter and renew at pleasure. Corporators.  
Style.

SECTION 2. That the object of said company is to protect each other against loss or losses that may occur to their horses, mules, et cetera, by disease, casualty, stolen or taken away; and no single animal to be insured for more than two hundred dollars; no horse or mule of less value than twenty-five dollars, and no other animal of less value than five dollars. Object.

SECTION 3. That the principle on which this association shall be founded, is as follows:—Each person on becoming a member, shall put a fair and just valuation on his or her horses, et cetera, separately, and put into the treasury one dollar on each and every hundred dollars insured. Principles of operation.



Insurances.

SECTION 4. That the insurance of this company shall be confined to a distance of eight miles around Allentown.

Assessments.

SECTION 5. That whenever the amount of funds in the treasury shall be insufficient to pay any loss occasioned to insured property of any member, each member shall be taxed every six months, if necessary, in proportion to his or her respective amounts of insurance, for the deficiency.

Losses

SECTION 6. That no loss or damage shall be paid for, when caused by abuse, neglect or non-attendance during sickness, nor when it can be proved that the disease or sickness has occurred through design, or wilful neglect on the part of the owner.

Stated meetings and elections.

SECTION 7. That the stated meetings shall be held on the last Saturday in December and June of each year; the last mentioned day shall be the day for annual elections, at which time there shall be elected seven directors, who shall constitute the board, and any five of them shall constitute a quorum to do business; said board shall have full power to do all business, make laws, et cetera, relating to the company; they shall meet semi-annually, or at any time, at the call of the president, when business is to be transacted of any consequence; they shall appoint one their number as president, one as secretary, and one to act as treasurer, for one year.

Committee of vigilance.

SECTION 8. That the president shall appoint at the June meeting a committee, who shall be styled a committee of vigilance, whose duty it shall be, upon being informed by the secretary of any horse or mule being stolen or taken away without the knowledge or consent of the owner, to pursue, within two hours after receiving said notice, their respective routes.

Duties.

SECTION 9. That the vigilance committee to consist of twelve members; the two first drawn members are to pursue the route to Philadelphia; second, to Reading; third, to Mauch Chunk; fourth, to Easton; fifth, to Pottstown; sixth, to Doylestown; the president shall offer a reward of twenty-five dollars for a horse or mule, for the detection of thief, and recovery of the stolen property; all legal costs to be paid by the company.

Penalty for neglect.

SECTION 10. That any member of the committee of pursuit not performing the duty himself or by sufficient substitute, shall forfeit and pay to the treasurer, for the use of the company, the sum of five dollars, unless he can give satisfactory reasons to the company for such neglect; for the distance of every mile which any member of the committee shall have traveled for the purpose specified in section eighth, he shall be allowed the sum of five cents, and fifty cents for every day thus employed.

Assessment and payment of losses

SECTION 11. That any member who may suffer any loss to insured property in this company shall immediately thereafter notify the president, who shall without delay appoint a committee of three members, who shall immediately proceed and make a conscientious appraisement of said loss, and report said proceedings to the secretary, the secretary to report the same to the treasurer: *Provided*, That if the president should meet with any loss, or in case of sickness or absence from home, the duty of appointing said appraising committee shall devolve upon the secretary, and in case the secretary is absent, said duty will devolve upon the treasurer; each officer to keep a journal of his proceedings; the president to draw an order on the treasurer to pay

the loss, first deducting therefrom ten per centum in thirty days after the tax is laid.

SECTION 12. That in case the vigilance committee fail in recovering or restoring the horse or mule to its owner, that at the expiration of six months nothing is heard of the stolen property, or the owner not recovering his or her property, the stolen property shall be considered as lost, and an appraising committee shall be appointed by the president to judge the value of the stolen property, and report to the secretary, and the said loss shall be paid as prescribed in section eleventh. Should the stolen property be recovered after the insurance is paid, the same to belong to the company, and be disposed of at public sale to the highest bidder, and the money or proceeds shall be paid into the treasury, or the owner of the stolen and recovered property to take it back and refund the money to the treasury.

When property to be considered lost.

SECTION 13. That if any member neglects or refuses to pay his or her liabilities or dues to the company as before mentioned, he, she or they shall be notified by the treasurer to that effect, and if he, she or they do not pay within thirty days from the time said notice is given, he, she or they shall forfeit all claim on this association; and if any such person shall meet with any loss of insured property during the last mentioned thirty days, such members shall have no claim on this company for such loss unless they shall have made payment.

Penalty for non payment of liabilities by members.

SECTION 14. That no person can be a member of this company unless he has property insured in it; and no member can withdraw his name or have his policy cancelled unless he is clear of the books, and by paying the secretary a fee of twenty-five cents.

Membership.

SECTION 15. That all elections shall be by ballot, each member to be entitled to one vote and no more.

Votes.

SECTION 16. That the officers shall keep accurate accounts of their proceedings, and report the same at each stated meeting of the board, and at the June election to give a full and satisfactory statement of the affairs of the company; they shall transact the business of the company, and have a general supervision of its affairs.

Accounts.

SECTION 17. That the treasurer shall have charge of the funds, and to loan out all moneys exceeding the amount of one hundred dollars at six per centum interest, the treasurer to have three per centum for collecting taxes; the president, treasurer and secretary to have seventy-five cents, and each of the four other directors fifty cents for attending each meeting of the company, as a compensation for their services; the treasurer to pay out no money unless an order be drawn on him signed by the president and attested by the secretary, and to exhibit his accounts in June annually.

Funds.

SECTION 18. That the secretary shall keep accurate accounts of the proceedings of the company, to have charge of all books, papers, et cetera, belonging to the company, and to do all such business as necessarily appertains to his office, and report the same semi-annually to the board, and June annually to the company; the secretary to lay all taxes, and have one dollar for each tax laid.

Secretary.

SECTION 19. That officers may be removed by two-thirds of the directors present at any regular stated meeting for sufficient

Removal of officers.

cause, and vacancies that may occur shall be filled by appointment by the president until next annual election.

Policies.

SECTION 20. That the secretary shall procure suitable printed policies, and each policy must be signed by the president and secretary; and each policy must have the seal of the company, each member to sign his or her name on the margin, and to pay to the secretary the sum of twenty-five cents for said policy, which shall be considered as a certificate of membership; no insured animal to be paid unless the foregoing rules are complied with, and no policy shall be transferred to any other person or member under penalty of losing membership.

By-laws.

SECTION 21. That the said company shall have the power to make such by-laws, and adopt such rules and regulations, not inconsistent with the provisions of this act, as they may deem expedient; but such by-laws, rules or regulations shall not be amended except at a regular stated meeting of the company.

Dissolution.

SECTION 22. That this company may be dissolved by a majority of two-thirds of all the members at any annual meeting; in such case the funds in the treasury to be divided amongst the members, according to their respective amounts insured, having first paid all liabilities.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 700.

## A N A C T

To incorporate the Franklin Saving Fund Society.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert M'Mullen, Cyrus Cadwallader, John C. Kirkpatrick, Malachi Swan, Robert Kilduff, Michael Conlin, W. A. M'Henry, J. G. Harrington, B. Huzzleman, Jacob B. Shannon, Edward T. Hyatt, Bernard M'Cane, George Kirkpatrick, and their associates or a majority of them, be and they are hereby created and made a body politic and corporate in deed and in law, by the name, style and title of the Franklin saving fund society; and said society shall have and possess and enjoy all the powers, immunities and privileges, and be subject to all the liabilities and

Style.

obligations which are imposed by the act incorporating the Pennsylvania saving fund of Philadelphia, approved the twelfth day of April, one thousand eight hundred and fifty-one, and the supplement thereto, approved the fourth day of May, Anno Domini one thousand eight hundred and fifty-four: *Provided*, That the said company shall not invest its capital stock, deposits or other moneys in the purchase, loan upon or discount of any bill of exchange, promissory note or other negotiable paper; and no loan upon any security shall in any case exceed two-thirds of the market value thereof at the date of said loan, nor shall any loan under the name of commission or otherwise be at a greater rate of interest than six per cent. per annum. Privileges.

SECTION 2. That the stockholders of said company shall be jointly and severally liable in their individual capacities for all debts due depositors, which liability shall be enforced in the manner provided by an act regulating banks, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty. Liability.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 701.

## AN ACT

To incorporate the Fayette County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Samuel A. Gilmore, Nathaniel Ewing, John Huston, Andrew Stewart, Joshua B. Howell, Alfred Patterson, Daniel Kaine, Henry Yeagley, John Dawson, H. W. Beeson, Isaac Beeson, Smith Fuller, Ewing Brownfield, James Veech, William Thorn-dell, Eleazer Robinson, Alphens E. Wilson, William Beeson, Jacob Murphy, William Bryson, John K. Ewing, Samuel W. Boyd, William C. M'Kean, John Chaney, John Freeman, George Paul, Samuel Nixon, Thomas B. Searight, Samuel D. Oliphant, Edmund Beeson, John Bierer, Ellis B. Dawson, Armstrong Had-den, George M'Clean, Isaac Winn, Robert Patterson, Thomas Sturgis, Jesse B. Gardner and Alfred M'Clelland, are hereby ap-pointed commissioners, who, or any six of whom, be and they are hereby authorized to open books, receive subscriptions, and Commissioners.



Style. organize a company by the name, style and title of the Fayette County railroad company, with power and authority to construct a single or double track railroad from any point in the borough of Uniontown, to any point at or near the borough of Connellsville, in Fayette county, and across the Youghiogheny river, with the right to connect with the Pittsburg and Connellsville railroad at or near the borough of Connellsville, subject to the provisions of the act regulating railroad companies in this commonwealth, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered or supplied by this act.

Route.

Subject to.

Capital. SECTION 2. That the capital stock of the said company shall consist of seven thousand five hundred shares, at one hundred dollars each: *Provided*, That the said company, by a vote of the majority of the stockholders present representing a majority of the stock, at a meeting to be called for that purpose, may increase the capital stock as much as in their opinion may be necessary to complete and equip their road, purchase lands, open mines, and carry out the provisions of this act: *Provided*, That the same shall not exceed one million five hundred thousand dollars.

Subscriptions by  
borough of  
Uniontown. SECTION 3. That the said borough of Uniontown is hereby authorized to subscribe to the stock of the said railroad company to an amount not exceeding three hundred shares, and issue the bonds of said borough therefor, which bonds shall be received by the said company in such terms as shall be agreed upon; but no bonds shall be issued by said borough, or received by said company, until the authorities of said borough shall first by law make provision for levying and collecting such tax or taxes as may be required for the payment of the annual interest on said bonds, at the rate of six per centum per annum.

May borrow  
money. SECTION 4. That the said company are hereby authorized to borrow money to an amount not exceeding their capital stock, upon bonds to be issued by said company, secured by mortgage upon so much of their corporate property as may be deemed adequate security therefor, whenever the president and directors shall deem the issue of such bonds and the giving of such security by mortgage expedient: *Provided*, That the rate of interest on such bonds shall not exceed eight per centum per annum: *And provided*, That the holders of such bonds may at any time convert the same into the stock of the said company: *And provided also*, That no bond shall be issued for a less sum than one hundred dollars.

Proviso.

May pay interest. SECTION 5. That the president and directors of said company, if they shall deem it expedient, are hereby authorized to pay to the stockholders semi-annually on all instalments of stock paid into the treasury of said company, interest at the rate of six per centum per annum, until said railroad shall be completed: *Provided*, That no stockholder who shall make default in the payment of any instalment of stock duly called for, shall be entitled to receive such interest on any stock previously paid in: *And provided also*, That the stock of the said company shall not be subject to a tax in consequence of the payment of the interest hereby authorized, nor until the net earnings of the said company shall amount to at least six per centum per annum upon the capital invested.



SECTION 6. That whenever any section or sections of three miles or more of said railroad shall be completed, the said company may use, occupy and enjoy the same as fully, and in the same manner as if the whole were completed: *Use of road.* *Provided,* That if the said company shall not commence the construction of the said road within three years, and complete the same within ten years, then this charter shall become null and void, except for the use, occupation and enjoyment by the said company of such portions of said road as shall be completed within the said period, and for the use, occupation and enjoyment of the franchises hereinbefore granted. *Limitation.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 702.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Bradford Railroad and Coal Company," approved the twenty-eighth day of May, Anno Domini one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the clause in the third section of the supplement to the act to which this is a further supplement, having reference to the time fixed for the commencement and completion of the road, be and the same is hereby repealed. *Repeal*

SECTION 2. That the said company shall have power to construct one or more roads, with single or double tracks, from the lands of the said company, to connect with the Barclay railroad at such point or points as may be found expedient, advantageous and practicable for the development of the mineral and mining interests of the said company, and the right to extend a railroad, with one or more tracks, further up the valley of the Schrader creek, to such point or points as shall be deemed advisable for the operations of the said company. *May make rail-roads.*

SECTION 3. That it shall be lawful for said company to mine, transport and sell iron ore, and manufacture iron and transport and sell the same, and acquire and use such materials and conveniences as they may find necessary, and to mine, develop, *Mine and sell coal, &c.*

manufacture, transport and vend any mineral substance on and in the lands of the said company.

Issue bonds.

SECTION 4. That the said company are hereby authorized to issue bonds to an amount not exceeding one hundred thousand dollars, to be secured by mortgage upon their corporate property or otherwise: *Provided*, That no bond shall issue for an amount less than one hundred dollars.

Bonus.

SECTION 5. That in lieu of the bonus imposed upon said company by its original act of incorporation, and the supplements thereto, the said corporation shall pay a bonus of one-half of one per centum on the capital stock, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made one year from the organization of said company, and shall pay such tax on dividends as is or may be hereafter required by law.

Liability.

SECTION 6. That the stockholders of the said company shall be jointly and severally liable in their individual capacities for all debts and contracts made by said company, to the amount remaining unpaid on each share of stock held by them respectively, except where especially waived in the purchase of lands, and also for all debts due mechanics, workmen and laborers employed by and for materials furnished to said company, to be sued for and collected as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 703.

## A FURTHER SUPPLEMENT

To the act to incorporate the Bradford Railroad and Coal Company, approved the twenty-eighth day of May, one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the governor to grant and issue a charter by letters patent under his hand and the seal of the commonwealth, to such of the corporators named in the several acts to

which this is a supplement, and their associates, as shall within sixty days from and after the passage of this act furnish satisfactory evidence to him that they have subscribed for the whole number of shares of the capital stock of the Bradford railroad and coal company, and that public notice had been given at least ten days before such subscription, of the time and place of taking the same, by advertisement in at least one newspaper published in the city of Philadelphia, and one newspaper published in the county of Bradford, signed by at least three of the corporators named in said act or acts; and by such charter he shall create and erect such subscribers, their successors and assigns into one body corporate, by the name, style and title of the Bradford railroad and coal company, with all the rights, privileges, and franchises and immunities set forth, mentioned and contained in the several acts to which this is a supplementary, and as if said charter had been duly granted in pursuance of the provisions thereof.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND FIFTY-SEVEN.

No. 1.

## RESOLUTION

Relative to the Purchase of certain Books for the Legislature.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the Senate and House be authorized to procure a copy of Purdon's Digest, Sutherland's Legislative Manual, and a railroad map of this commonwealth and adjoining states, for each member and the chief and assistant clerks of the respective houses; the accounts for the purchase of said books and maps to be settled and paid in the usual manner.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 2.

## RESOLUTION

Relative to the Pay of Perran J. Cooke, an Assistant Door-keeper.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the auditor general, in the settlement of the account of Perran J. Cooke, retiring officer, be and he is hereby authorized to allow said Perran J. Cooke eighteen days additional pay for attention in regulating the furnaces, upon certificate presented from the*

clerk of the House of Representatives, to the auditor general, that said services were performed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

JNO. C. FLENNIKEN,  
*Speaker of the Senate pro. tem.*

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 3.

## RESOLUTION

Providing for the Payment of Diagrams ordered by the Senate and House of Representatives.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerk of the House be authorized to pay out of the contingent fund for the diagrams ordered by resolution of the House; and that the clerk of the Senate be authorized to purchase and pay for five hundred diagrams of the Senate, and that the accounts be settled in the usual manner.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



## No. 4.

## RESOLUTION

For the Payment of a Sum of Money to George Bergner & Co., on account of the Publication of the Daily Legislative Record.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay to George Bergner & Co., publishers of the Daily Legislative Record, the sum of one thousand dollars, in part payment of what may be found due them upon the completion of their contract.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 5.

## JOINT RESOLUTIONS

Relative to the Reduction or Abrogation of Duties on Railroad Iron.

WHEREAS, Efforts are now being made to reduce, or entirely abrogate, the duties now levied under the revenue laws of the United States on railroad iron:

*And whereas,* Such reduction or abrogation would be highly detrimental to the interests and prosperity of the state of Pennsylvania; therefore,

*Resolved,* That our senators in congress be instructed, and our representatives are hereby requested to vote and use all their influence against any measures tending to such a result.

*Resolved,* That the governor be requested to communicate copies of these resolutions to our senators and representatives in congress, with a request that they be laid before their respective houses.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

## No. 6.

## RESOLUTION

Relative to the Pay of John Zerbe and Levi M'Cormick, Assistant Door-keepers of the House.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized to pay to John Zerbe and Levi M'Cormick, assistant door-keepers, one hundred and eighteen dollars and fifty cents each, being the amount due them for services rendered during the present session.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 7.

## RESOLUTION

Providing for the Appointment of Officers of the House of Representatives.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the door-keeper of the House be and he hereby is authorized to appoint three additional assistant door-keepers, and the sergeant-at-arms of the House one additional assistant sergeant-at-arms during the present session.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 8.

## RESOLUTION

Relative to the Appointment of an additional Assistant Messenger of the House.

WHEREAS, Arrangements have been made to remove the post office of the House of Representatives to a room outside of the hall, which will require the constant attendance of one of the messengers, and render the appointment of an additional assistant necessary ; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the messenger of the House is hereby authorized to appoint an additional assistant.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 9.

## RESOLUTION

Relative to the Payment of the Witnesses in the case of the Contested Election of John Ramsey.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the state treasurer be and he is hereby authorized to pay the fees of the witnesses in the case of the contested election of John Ramsey, when the same are taxed according to law, and collect the same from the city of Philadelphia.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

RICHARDSON L. WRIGHT,  
*Speaker of the Senate pro tem.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 10.

## RESOLUTION

Authorizing the erection of Additional Gas Lamps on the Public Grounds.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the superintendent of public grounds, under the direction of the joint committee on public buildings, is hereby authorized and directed to cause a gas main to be laid down along the board walk leading from the capitol to Walnut street, with the necessary lamp posts and lamps for lighting the same, the expenses thereof to be settled and paid in the usual manner.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 11.

## RESOLUTION

In regard to the Payment of the Salary of Charles B. Penrose, deceased, as a Member of the Senate.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized and directed to pay to the legal representatives of Charles B. Penrose, deceased, the amount to which he would have been entitled as a member of the Senate for the whole of the present session.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 12.

## RESOLUTION

Relative to the Expenses attending the Funeral Ceremonies of Hon. Charles B. Penrose, deceased.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay to the order of the chairman of the Senate committee on the obsequies of the Hon. Charles B. Penrose, late member of the Senate from the city of Philadelphia, the sum of five hundred and sixty-seven dollars and fifty-six cents, being the amount of expense incurred by the joint committees of the Senate and House of Representatives, and by the respective clerks of each body, in the performance of the duties assigned them on that occasion.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 13.

## RESOLUTION

For the Payment of William B. Gillis, late a Transcribing Clerk of the House of Representatives.

WHEREAS, William B. Gillis, one of the transcribing clerks of the House at the last session, was ordered by the late clerk of the House to return at the commencement of the present session to resume his official duties, as authorized by law; that in consequence of exposure on his way to Harrisburg during a snow storm, he contracted a disease which has ever since prostrated him on a bed of sickness, and which terminated fatally about eight o'clock last evening; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to the personal representative of William B. Gillis, deceased, mileage*



and the pay of a transcribing clerk for one-half of the present session.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 14.

### RESOLUTION

Relative to the Pay of Nelson Weiser.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be directed to pay to Nelson Weiser, for service as clerk to the committee on the contested election of John Ramsey, a member of the House of Representatives, such sum as may be certified to be due him by the chairman of said committee.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 15.

### RESOLUTION

Providing for the Payment of certain Expenses of the late Committee of Investigation.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That*

the state treasurer be and he is hereby authorized to pay on the order of the chairman of the late committee of investigation, to whom was referred resolution of the twenty-fifth of February, one thousand eight hundred and fifty-seven, relative to the conduct of certain reporters, et cetera, the sum of one hundred and nineteen dollars and thirty-six cents, being the amount of expenses of said investigation.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 16.

## RESOLUTION

Requiring the Secretary of the Commonwealth to Purchase Colonial Records and Pennsylvania Archives.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the secretary of the commonwealth be and he is hereby directed to purchase for the use of those members and officers of the present legislature who have not heretofore received the same, full sets of the Colonial Records and Pennsylvania Archives: Provided, That the price shall not exceed the amount paid for the same last year.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 17.

## RESOLUTION

In relation to the Pay of Nelson Weiser.

WHEREAS, By a resolution of the Senate and House of Representatives, approved the sixth day of May, Anno Domini one thousand eight hundred and fifty-seven, entitled "Resolution relative to the pay of Nelson Weiser," the chairman of the committee specified in said resolution was directed to certify to the account of said Nelson Weiser for services as clerk, et cetera, to said committee:

*And whereas,* In consequence of sickness the chairman has thus far been unable so to do; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the speaker of the House of Representatives be and he is hereby directed to certify to the account of the said Nelson Weiser; and the state treasurer is hereby authorized and directed to pay the said Nelson Weiser the amount due him on the certificate of the speaker of the House of Representatives.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## No. 18.

## RESOLUTION

Relative to a Bridge in Lawrence county.

WHEREAS, The Erie canal company did, in pursuance of an act of the general assembly of this commonwealth, erect a bridge across the Shenango pool, on a public highway some four miles north of the borough of New Castle, in the county of Lawrence:

*And whereas,* The said company are not required to maintain and keep said bridge in repair, and the cost of so doing will be greater than is reasonable that the townships in which it is located should bear; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the commissioners of the said county of Lawrence be and they are hereby authorized and required to take charge of said bridge and keep the same in repair, in like manner as bridges built by and belonging to said county are maintained and kept in repair.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 19.

## RESOLUTION

Relative to the Interment of J. M. B. Petrikin, deceased.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and is hereby authorized to pay to the order of Isaac Benson, chairman of the committee relative to the interment of J. M. B. Petrikin, deceased, the sum of five hundred and eighty-six dollars and four cents, (\$586 04,) being the amount of indebtedness incurred during his last illness and expenses of interment.*

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 20.

RESOLUTION

Relative to the Pay of the Officers of the Legislature.

*Resolved by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to the officers of the two houses, in addition to the sums named in the general appropriation bill, as follows, viz: To the chief and assistant clerks each, the sum of one hundred dollars; to the transcribing clerks and other officers (the speakers excepted) of the two houses each, the sum of fifty dollars; and the further sum of fifty dollars to J. R. Smith, postmaster of the House.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 21.

RESOLUTION

Relative to Binding the Pamphlet Laws and Documents for Members and Officers of the Legislature.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state printer be directed to bind and deliver to the secretary of the commonwealth, to be by him forwarded to the members and clerks authorized by law to receive the same, one copy, each, of the Laws, Journals, Legislative Documents and Legislative Records: *Provided,* That the cost of binding shall not exceed the sum of fifty cents per volume.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.



No. 22.

## RESOLUTION

Relative to Clerk Hire in the Attorney General's Office.

SECTION 1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay to the attorney general the sum of five hundred dollars for clerk hire, in accordance with the provisions of an act relating to the office and duties of attorney general.*

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## APPENDIX—1846.

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No. 704.

### A N A C T

To Annul the Marriage Contract between Archibald T. K. M'Callum and Helena Mary M'Callum his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Archibald T. K. M'Callum, of the city of Philadelphia, and Helena Mary his wife, be and the same is hereby declared null and void, and the parties discharged from all the obligations and liabilities growing out of the same, as fully and absolutely as if they had never been joined in marriage.*

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

DANIEL L. SHERWOOD,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

## APPENDIX—1847.

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No. 705.

## A N A C T

Supplementary to an act, entitled “An Act to incorporate the Mutual Fire Insurance Company of Sinking Springs, Berks county,” approved the twelfth day of April, one thousand eight hundred and forty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mutual fire insurance company of Sinking Springs, Berks county, shall hereafter have the power, and they are hereby authorized to effect insurances in any of the counties of the commonwealth, upon the same terms and conditions as those prescribed by the original charter of the said company, and the acts supplementary thereto, and that persons, citizens of Pennsylvania, and not citizens of Berks county, may be admitted to all the rights, privileges and responsibilities of membership, in as full and ample a manner as if such clause were contained in the original act of incorporation.

SECTION 2. The insurances heretofore effected in other counties than Berks shall be deemed and held to be as valid in all respects as though a power to insure in such cases had been expressly granted in the original act of incorporation of said company.

JAMES COOPER,

*Speaker of the House of Representatives.*

CH. GIBBONS,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 706.

## A N A C T

To incorporate the Commercial Fire Insurance Company of Pennsylvania

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Brock, George Miller, Andrew Garrett, George Peterman, Joseph B. Andrews, John Reid, John W. Patton, Jesse George, A. Hanline, John C. Montgomery, Joseph Brown, Jacob Reid, Joseph Evans, William Adams, or any five of them, be and they are hereby authorized and empowered to receive subscriptions to the capital stock of a company, to be denominated the Commercial fire insurance company of Pennsylvania, who shall open a book for that purpose in the city of Philadelphia, at a time and place to be by them designated, of which they shall give ten days' notice in two or more of the daily papers of the city of Philadelphia; and said book shall be kept open for two consecutive days, on each day from ten o'clock A. M., until two o'clock P. M., or until ten thousand shares are subscribed for, at fifty dollars each share; which ten thousand shares, at fifty dollars each share, shall constitute and be the capital of said company; and any person of lawful age, and a citizen of the United States, shall be permitted to subscribe, upon paying five dollars on each share at the time of subscribing, and if the whole number of shares shall not be subscribed for during the two days before mentioned, the aforesaid named persons, or any five of them, shall have power to re-open said books, at such time or times, place or places, as they may deem expedient, and keep the same open until the whole number of shares are subscribed for: *Provided,* That all acts which said above named persons, or any five of them, are authorized to do, shall be as efficient and valid as if performed by a majority of them, or by a committee appointed by a majority, as if performed by them all.

SECTION 2. When five hundred shares of said capital stock is subscribed for, and five dollars on each share paid in on said capital stock, the above named persons, or a majority of them, shall certify to the governor, under their hands and seals, the names of the subscribers, the number of shares subscribed for, and the amount paid in by them respectively; and the governor shall thereupon, by letters patent, under his hand and the seal of the state, erect and create said subscribers, and those who may hereafter become associated with them by virtue of this act, and their successors, into one body politic and corporate, in deed and in law, by the name, style and title of the Commercial fire insurance company of Pennsylvania, and the said subscribers, their associates and successors, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and to purchase, hold, use, occupy, possess and enjoy to them and their successors lands, tenements,

Commissioners.

Their duties.

Proviso.

Letters patent.

Style.

- Powers.** hereditaments, goods, chattels and effects, or choses in action, and all other property, of what nature and kind soever, real, personal and mixed, and the same from time to time sell, demise, grant a lien and dispose of: *Provided*, That the yearly income of the real estate so held, except it be such as shall be necessary for the transaction of the business of the company, or which may be conveyed to said company for security, or in payment of any debt which may become due or owing to the same, or in satisfaction of any judgment of any court of law in its favor, shall not exceed the sum of ten thousand dollars; and the said company shall have and use a common seal, with such device as they may choose, and the same at pleasure break, alter and renew.
- Election of officers.** SECTION 3. The affairs of the company shall be managed by nine directors, to be elected annually by ballot, on the second Monday of December, by the stockholders, or by their legally empowered agent, and each share of stock shall entitle the holder thereof to one vote; the election to be held at the office of the company, at a general meeting of the stockholders convened for that purpose, by ten days' public notice in two or more of the daily papers of the city of Philadelphia: *Provided*, That the first election for directors shall be held pursuant to ten days' notice, given in one or more of the daily papers of the city of Philadelphia by the persons herein named, or any five of them, who shall designate the time when, and the place where said election shall be held, and the stockholders shall then and there elect nine directors, to serve until the next ensuing election, as provided for in this act; and at the first ensuing meeting of the directors after every election, they shall appoint one of the number as president, who, together with themselves, shall hold office until the next ensuing election, as is herein provided for, and four members of said board of directors shall compose a quorum; and in case it should happen at any time that an election for directors should not be made when, pursuant to this act, it should have been made, the company, for that cause, shall not be dissolved; and it shall be lawful within forty days thereafter to hold and make an election for directors, in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election take place, and in the event of death, resignation or removal of any director from office, his place for the remainder of his term may be filled by the president and directors for the time being, in such manner as the by-laws may prescribe.
- Proviso.**
- President.**
- Quorum.**
- Vacancies.**
- Officers, agents, &c.** SECTION 4. The president and directors shall have power to appoint a secretary and such other officers, agents and clerks as may to them appear proper, to fix their compensation and pay the same; and the capital stock shall be called in, and paid in such instalments and proportions, and at such times and places as the president and directors for the time being may require and designate, who shall give fifteen days' notice thereof in two or more of the daily papers of the city of Philadelphia; and if any stockholder, subscriber, their assignee or transferee, shall refuse or neglect to pay such proportion or instalment at the time and place appointed, such stockholder, subscriber, transferee or assignee shall at the option of the president and directors forfeit
- Payment of stock**
- Stock may be forfeited.**



to the use of the company all his, her or their right, title and interest in and to every share on which such instalment has not been duly made, and fresh subscription may be opened for the same in such manner as the by-laws may prescribe, or the president and directors may at their option commence suit for the same, and recover against the holder of said stock for the amount of the instalment or proportion so unpaid: *Provided*, That no stockholder or subscriber shall be permitted to vote at any election for directors, or at any general or special meeting of the company, on whose shares any instalment or arrearages may be due more than ten days previous thereto; nor shall any stockholder vote at any such meeting or election whose stock has not been standing in their name on the books of the company at least thirty days previous thereto: *And provided further*, That such of the shares of the capital stock as may not have been subscribed for previous to the organization of the company may be subscribed for in such manner as the president and directors for the time being may by resolution authorize; and they are hereby authorized to receive subscriptions for the same in manner not inconsistent with this act, and continue to receive the same until the whole number of shares are subscribed for.

Or suits brought  
Proviso.

SECTION 5. It shall be lawful for the said president and directors to invest and improve their capital stock, and all money received for premiums or otherwise in the funded debts of the United States or of the state of Pennsylvania, or other of the United States, of the county of Philadelphia, city of Philadelphia, or other counties or cities of the states of the United States, in mortgages or ground rents, or to lend the same on good and sufficient security; and also to dispose, sell and transfer all and any of said loans, stocks and securities, and invest the proceeds in like and other such loans, stocks and securities: *Provided*, That nothing herein contained shall be construed so as to authorize the company to employ their capital stock for banking or manufacturing purposes.

Investment of  
moneys.

Banking prohibi  
ted.

SECTION 6. The president and directors for the time being shall have power to ordain, establish and put in execution such rules, regulations, ordinances and by-laws as they may deem essential for the well government of the institution, not contrary to the constitution of the United States or state of Pennsylvania; and generally to do and perform all acts, matters and things which a corporation may or can lawfully do.

By-laws.

SECTION 7. The president and directors are hereby empowered and fully authorized on behalf of the company to make insurance against losses by fire on any house, building, tenement, manufactories, mills or other building, on goods, wares, chattles and effects of all kinds therein or otherwise, upon grain, produce and implements, and upon vessels building, on the stocks, in port or at moorings, and generally upon all and every sort and description of property of whatever kind soever on land or water; and to make, execute, perfect and conclude so many contracts, bargains, agreements, policies and other instruments as the nature of the case shall or may require; and all such instruments, bargains, contracts, policies or agreements shall be in print or in writing, and shall be signed by the president and secretary or such other persons as the managers may appoint for such pur-

Insurances.

Proviso.

pose, and shall be under the seal of the company: *Provided*, That said president and directors may at their option and discretion make insurance on such terms and conditions as to them may appear equitable, reserving the premiums or appropriating and returning such portions thereof to the assured as may to them appear conducive to the interests of the company and the assured, in such manner and on such conditions and stipulations as may to them appear just and proper.

Dividends.

SECTION 8. The president and directors shall, on the first Monday in June and December of each and every year, divide so much of the profits of said company as to them may appear advisable, first deducting all expenses, and pay the same to the respective stockholders or their agents, duly empowered, in ten days thereafter; but the money received as premiums upon risks which remain outstanding and undetermined at the time of declaring such dividend, shall not then be considered as part of the profits; and if the capital stock paid in shall be lessened by losses, no subsequent dividend shall be made or declared until a sum equal to said diminution shall have been added to the capital stock; and if the president and directors knowingly make a dividend contrary to the true intent and meaning of their prohibitions herein contained, such of them as consent thereto shall in their individual capacity be accountable, and pay over to the said company for the use thereof as much money as they so divide, and pay more than by this act they are authorized to do, and the president and each director in office at the time when said dividend is declared as is hereby prohibited, shall be deemed as consenting thereto, unless he or they shall be absent from the board of directors when such dividend is made, or if present, shall not immediately enter his or their protest on the minutes of the board, and give publicity of the same: *Provided*, That every regulation which the board of directors, with the consent or by direction of a majority of the stockholders, may make in regard to the declaring of dividends or the accumulation or diminution of the funds of the company, shall be binding on all: *And provided further*, That if the company at any time shall fail in meeting its engagements, each stockholder shall be liable in his individual capacity for the debts of the company to the amount of the balance unpaid on the stock by him or her held.

Proviso.

Transfers.

SECTION 9. The stock of said company shall be transferred on the books of said company, in such manner only as the by-laws of the company shall direct.

Reservation.

SECTION 10. If at any time it shall appear to the legislature that said company have abused or misused any of the privileges herein granted, the power to repeal shall not be enforced in such manner as will affect in any way engagements to which the company are a party, nor in any way to do injury to the company, but ample time shall be allowed to wind up its affairs.

JAMES COOPER,

*Speaker of the House of Representatives.*

CH. GIBBONS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 707.

## AN ACT

To incorporate the Philadelphia, Reading and Pottsville Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Tucker, Peter Bosquet, Morris S. Wickersham, of Philadelphia; G. A. Nicolls, Isaac Heister, Heister H. Muhlenberg, Samuel Bell, M. S. Richards, J. S. Richards, William Strong, J. L. Stichter and R. W. Packer, of Reading, Pennsylvania, and their associates, and such persons as may hereafter become stockholders in the company called the Philadelphia, Reading and Pottsville telegraph company, their successors and assigns, shall be and they are hereby made and constituted a body politic and corporate for the purpose of making, using and maintaining telegraph lines and communications between the city of Philadelphia and the boroughs of Reading and Pottsville, and intermediate towns and villages, by the name, style and title of the Philadelphia, Reading and Pottsville telegraph company, and by the same name, style and title shall have perpetual succession, and all the privileges, franchises and immunities incident to a corporation, may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record and otherwise, may purchase, receive, have, hold and enjoy, to them, their successors and assigns, lands, tenements and hereditaments, goods, chattels, and all estate, real, personal and mixed, of what kind and quality soever, and the same from time to time may sell, convey, mortgage, grant, alien and dispose of, to make dividends of such portion of their profits as they may deem proper, and also may make and have a common seal, the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws or ordinances and regulations as shall appear necessary or convenient for the government of said corporation hereby created, not being contrary to the constitution and laws of the United States and this commonwealth, and generally may do all and singular the matters and things which to them shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering the affairs and business of the same: *Provided*, That nothing herein contained shall be so considered and construed as giving to the said corporation any banking privileges or franchises, or any privileges or franchises but such as may be necessary or incident to the making, using and maintaining the said telegraph lines and communications.

Corporators.

Style.

Privileges.

By-laws.

Proviso.

SECTION 2. That the capital stock of the said corporation hereby created shall be fifty thousand dollars, in shares of fifty dollars each; certificates of which shall be issued to such person or persons, or corporation or corporations, other than counties, townships and municipal corporations who have heretofore subscribed

Capital.

Certificates of stock.

or paid money, or may hereafter subscribe or pay money for the construction of said telegraph lines, for the number of shares which he, she or it may have or shall subscribe for or hold in the said corporation, signed by the president and countersigned by the secretary, and sealed with the common seal; which stock shall be transferable in person or by attorney, executors, administrators, guardians, trustees or officers, under such regulations as may be provided by the by-laws.

Who may subscribe.

SECTION 3. That it shall and may be lawful for any corporation or body politic other than counties, townships and municipal corporations, to subscribe for and hold one or more shares of capital stock in the said corporation hereby incorporated.

Side lines.

SECTION 4. That the said corporation hereby created shall have power to purchase, make, use and maintain any connecting or side lines which are now or hereafter shall be within Schuylkill, Berks, Montgomery or Philadelphia counties; and also shall have power, by contract with other persons or bodies politic, to make, connect, use and maintain their lines of telegraph with lines of like kind out of this state.

Election of officers.

SECTION 5. That the persons named in the first section of this act, or any four of them, shall call a meeting, to be held on the first Tuesday of July next, or at any previous time, of the corporate body hereby created, giving three weeks' notice of the time and place of holding the same in at least one newspaper in the city of Philadelphia and boroughs of Reading and Pottsville, for the purpose of choosing a president, secretary, treasurer and four directors, which four directors with the president shall constitute the board of directors for the management of its affairs.

First officers and their powers.

SECTION 6. That the president, directors, secretary and treasurer of said corporation hereby created, shall hold their offices for the term of one year, until their successors shall be elected, and shall exercise all such powers pertaining to the making, maintaining, use and management of said telegraph lines, and the affairs, interest and business of the said corporation, authorized by its by-laws, and not incompatible with the constitution and laws of this state and of the United States.

Annual meetings

SECTION 7. That the annual meetings of the said corporation shall be held on the first Tuesday of July, in each and every year hereafter, unless the stockholders, at an annual meeting, shall otherwise direct, and special meetings shall be called by the president and directors, whenever, in their opinion, the interest of the company may require it, or when it may be demanded by persons holding one-third of the capital stock; such reasonable notice to be given of the time and place of holding the meetings, as may be prescribed by the by-laws of the corporation.

Votes.

SECTION 8. That at every election for officers each share shall entitle the holder thereof to one vote, to be given by ballot: *Provided*, That no one stockholder shall be entitled, on account of the stock held by him, to cast more than one-sixth of the entire vote, to which all the shares, if held singly, would be entitled; and absent stockholders may vote by agents or proxies, producing written authorities: *And provided also*, In the event of an equal number of votes being cast for two or more candidates in any election for officers, the choice between them shall be determined by lot.

Proxies.



SECTION 9. That it shall and may be lawful for the said corporation, hereby created, to erect and construct works, edifices, fixtures and structures along and across any of the roads, highways, streets and waters within this state, the said works, et cetera, to be so placed as not to interfere with the common use of such roads, highways, streets and waters; and the said corporation, and all other persons by them authorized, appointed or employed, shall have power and authority to enter into and upon, hold, occupy and enjoy any land for the purposes of locating and constructing the said telegraph lines, and using, repairing, maintaining and enjoying the same upon which the same may be located, or which may be necessary or convenient for the location of the same: *Provided*, That such compensation previous thereto shall be made, secured or tendered to the owner or owners of any land, as shall be agreed upon between the parties, or in such manner as is hereinafter mentioned.

Powers to put up telegraph lines.

Entry on lands.

Compensation.

SECTION 10. That if the said corporation, and the owner or owners of any such land through which the said telegraph lines shall pass, cannot agree upon the price or compensation to be paid by the said corporation for such land taken and used, or the damages done thereto, it shall and may be lawful for either party to apply to the court of common pleas for the county in which said lands shall lie, by petition, stating the facts in relation thereto; and thereupon it shall be the duty of said court to appoint five disinterested persons of the proper county, or of any county adjoining, and to fix a time, not less than twenty, nor more than thirty days thereafter, for said viewers to meet upon the premises where the damages are alleged to be sustained, of which time and place ten days' notice shall be given by the party petitioning, to said viewers and to the other party; and the said viewers, when so met, shall be first sworn or affirmed justly and equitably to assess the damages, if any, which may have been or are likely to be sustained by the owner or owners of such land, and shall then view the premises, and justly and equitably assess and estimate the damages which may have been sustained, or likely to be sustained by the owner or owners of such land through which the said telegraph lines shall pass, and deducting from the damages the value of the advantages and benefits which will be likely to accrue to the owners of said land from the said telegraph lines or works connected therewith, and to make out a report of their assessments of damages, signed by the said viewers, and return the same to the court appointing them, at the next term thereof, which report, being confirmed by the said court, shall be considered a judgment of the said court, and collected in like manner as other judgments of the same court are collected, with the costs of the court: *Provided*, That if the proper officer of the said company, at any time before application made by either party for the appointment of viewers in the manner hereinbefore directed, shall tender to the owner or owners of said land a sum of money in full compensation for his said damages, said company shall not be liable for costs on any subsequent proceedings, unless such owner of land shall receive a larger sum than the previous tender of said company: *Provided however*, That the said judgments shall be subject to rever-

Damages, how ascertained.

Proviso.

Proviso.



sal, upon appeal, or by writ of error taken by either party, as other judgments in the same courts are liable.

Penalty for injuries to works.

SECTION 11. That if any person or persons shall wilfully or knowingly break, injure, destroy or interrupt the telegraph lines and communications, or any part thereof, or any work, erection, edifice, structure or device, or any part thereof, to be erected by the said company in pursuance of this act, he, she or they shall pay to the said corporation, one hundred dollars for said offence, and shall be further liable for all damages which the said corporation may suffer in repairing the injury and from the interruption of their business, to be recovered in an action of trespass; and if any persons incurring the penalty aforesaid shall through insolvency or other cause, be unable or shall fail to pay the penalty or damages aforesaid, and shall a second time commit a trespass upon the said lines or any part thereof as aforesaid, he, she or they shall be liable, upon conviction thereof, to an imprisonment in the county jail, of not less than one month and not more than six months.

Powers to locate lines.

SECTION 12. That it shall and may be lawful for the corporation hereby incorporated, or others, to construct lines of telegraph along the common roads and streets of this state, and with the permission of the owners thereof, along all turnpikes, and railroads and canals for the purpose of communicating between any of the towns and villages in this state, or beyond its limits, and the main lines of said companies, and with each other, subject to all the terms and conditions in this act contained.

Transmission of messages.

SECTION 13. That the said corporation shall be bound on application of any of the officers of this state or of the United States, acting in the event of any war, insurrection, riot or other civil commotion or resistance of public authority, or in the prevention or punishment of crime, or the arrest of persons charged or suspected thereof, to give to the communications of such officers immediate dispatch; for transmitting such communications the company shall charge no higher price than for private communications of the same length.

Dividends.

SECTION 14. That dividends of so much of the profits of the company as shall be deemed expedient, be declared semi-annually in the month of January and July in each year: *Provided*, That no dividend shall be declared which shall impair the capital stock of said company; all meetings of the stockholders shall be held in the borough of Reading, and three weeks' notice shall be given of each and every such meeting in at least one newspaper in Reading, one in Philadelphia and one in Pottsville.

Meetings of stockholders.

JAMES COOPER,

*Speaker of the House of Representatives.*

CH. GIBBONS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

## APPENDIX—1848.

No. 708.

## A N A C T

To incorporate the German Reformed Congregation of Harbaugh's church, in Washington township, Franklin county, and to exempt the Real Estate of Dickinson College, in Carlisle, from Taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Incorporation. the German Reformed congregation of Harbaugh's church, in Washington township, Franklin county and parts adjacent, be and the same is hereby erected into a body politic and corporate in deed and in law, by the name, style and title of "The German Reformed congregation of Harbaugh's church," and by the same name shall have perpetual succession and be able to sue and be sued in all courts of law and elsewhere, and shall be able Name. and capable in law and equity, to take and hold lands and tenements, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which are now or hereafter shall become the property of the said congregation by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise from any person or persons whomsoever, capable of making the same, and the same to grant, bargain, sell or dispose of: *Provided,* The yearly Privileges. value or income of said real and personal estate shall not at any time exceed one thousand dollars: *And provided,* That the church Proviso. and grave-yard belonging to the said congregation, shall never be sold unless two-thirds of all the members of the said congregation shall consent to the sale thereof.

SECTION 2. That the affairs of the said corporation shall be Officers. managed and superintended by five trustees to be chosen from the members of said congregation, who shall choose from among their own number, a president and secretary, and shall also choose a treasurer from among the members of the congregation who is not a trustee, and who shall if required by the trustees, give sufficient security for the faithful discharge of his duties; and in case of the removal of the trustees by death, resignation or otherwise, the vacancy shall be supplied by the remaining trustees; and the following persons shall be the trustees until others shall be elected, to wit: Theodore Apple, George Harbaugh, senior, Daniel Mickley, Jonathan Harbaugh, and George Harbaugh, junior.

SECTION 3. That the first election to be held in pursuance of Elections. this act, shall be conducted by three members of the congregation to be chosen by the trustees, which election shall be held

within one year from the passage of this act ; and all subsequent elections shall be held at such times and shall be conducted in such manner as may be prescribed by the by-laws.

Powers of trustees.

SECTION 4. That the said trustees and their successors shall have power and authority to make, have and use one common seal, with such device as they shall think proper, and the same to alter at their pleasure ; they shall have power to enact and enforce such by-laws and ordinances as may be proper and necessary for the regulation and transaction of the business of the corporation : *Provided*, That said by-laws and ordinances shall not be inconsistent with the constitution and laws of this commonwealth or of the United States, and that the same be approved by a majority of the regular members of the congregation, at any annual meeting or at any special meeting called for that purpose.

Dickinson college estate exempted from taxation.

SECTION 5. That the real estate belonging to Dickinson college, in the borough of Carlisle, be and the same is hereby exempted from the payment of all taxes except state taxes, as long as said real estate shall belong to said corporation and be used for educational purposes.

WILLIAM F. PACKER,  
*Speaker of the House of Representatives.*

WM. F. JOHNSTON,  
*Speaker of the Senate.*

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

## APPENDIX—1849.

No. 709.

## A N A C T

To change the Names of Mary Ann Loudenslager, George G. Loudenslager and Bartholomew G. Loudenslager to Louden.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Mary Ann Loudenslager, George G. Loudenslager and Bartholomew G. Loudenslager, of the county of Philadelphia, be and are hereby authorized to change their names respectively to Mary Ann Louden, George G. Louden and Bartholomew G. Louden, and they shall henceforth be called and known by the name of Louden; and by that name shall be able and capable in law to sue and be sued, grant, receive, take and inherit any estate real or personal, and to do all other legal acts as effectually to all intents and purposes as they could have done by their former names if no change had been made therein.

WILLIAM F. PACKER,

*Speaker of the House of Representatives.*

GEO. DARSIE,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 710.

## A N A C T

To incorporate the Reading, Lebanon and Harrisburg Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That M. S. Wickersham, of the city of Philadelphia; G. A. Nicolls, M. S. Richards, H. H. Muhlenberg, J. S. Stichter, John S. Heister, of the city of Reading, and their associates and such other per-

Corporators.

Style.	sons as may hereafter become stockholders in the company called "The Reading, Lebanon and Harrisburg telegraph company," their successors and assigns, shall be and they are hereby made and constituted a body politic and corporate, for the purpose of making, using, and maintaining telegraph lines and communications between the city of Reading and the boroughs of Lebanon and Harrisburg, and intermediate towns and villages, by the name, style and title of "The Reading, Lebanon and Harrisburg telegraph company," and by the same name, style and title shall have perpetual succession and all the privileges, franchises and immunities incident to a corporation, may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record and otherwise, may purchase, receive, have, hold and enjoy to them, their successors and assigns, lands, tenements and hereditaments, goods, chattels and all estate, real, personal and mixed, of what kind and quality soever, and the same from time to time may sell, convey, mortgage, grant, alien and dispose of, to make dividends of such portions of their profits as they may deem proper, and also make and have a common seal, the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws or ordinances and regulations as shall appear necessary or convenient for the government of said corporation hereby created, not being contrary to the constitution and laws of the United States or this commonwealth, and generally may do all and singular the matters and things which to them shall lawfully appertain to do for the well being of said corporation and the due management and ordering of the affairs and business of the same: <i>Provided</i> , That nothing herein contained shall be so considered and construed as giving to the said corporation any banking privileges or franchises, or any privileges or franchises but such as may be necessary or incident to the making, using and maintaining the said telegraph lines and communications.
Privileges.	
Proviso.	
Capital stock.	SECTION 2. That the capital stock of the said corporation hereby created shall be twenty-five thousand dollars, in shares of fifty dollars each, certificates of which shall be issued to such person or persons, corporation or corporations, other than counties, townships or municipal corporations who have heretofore subscribed or paid money, or may hereafter subscribe or pay money for the construction of said telegraph lines, for the number of shares which he, she or it may have or shall subscribe for or hold in the said corporation, signed by the president and countersigned by the secretary, and sealed with the common seal, which stock shall be transferable in person or by attorney, executors, administrators, guardians, trustees or officers, under such regulations as may be provided by the by-laws.
Certificates of stock.	
Transferable.	
Who may subscribe.	SECTION 3. That it shall and may be lawful for any corporation or body politic, other than counties, townships and municipal corporations, to subscribe for and hold one or more shares of capital stock in the said corporation hereby incorporated.
Powers.	SECTION 4. That the said corporation hereby created shall have power to purchase, make, use and maintain any connecting or side lines which are now or hereafter shall be within Berks, Lebanon, Dauphin, Schuylkill, Northumberland and Lancaster counties; and also shall have power by contract with other per-



sons or bodies politic to make, connect, use and maintain their lines of telegraph with lines of like kind out of this state.

SECTION 5. That the persons named in the first section of this act, or any four of them, shall call a meeting to be held on the first Tuesday of May next, or at any previous time of the corporate body hereby created, giving three weeks' notice of the time and place of holding the same, in at least one newspaper in the city of Reading, boroughs of Lebanon and Harrisburg, for the purpose of choosing a president, secretary and treasurer and four directors, which four directors with the president shall constitute the board of directors for the management of its affairs.

Meeting.

Officers.

SECTION 6. That the president, directors, secretary and treasurer of said corporation hereby created shall hold their offices for the term of one year and until their successors shall be elected, and shall exercise all such powers pertaining to the making, maintaining, use and management of said telegraph lines, and the affairs, interest and business of the said corporation authorized by its by-laws, and not incompatible with the constitution and laws of this state or of the United States.

Term of office.

SECTION 7. That the annual meeting of the said corporation shall be held on the first Tuesday of May in each and every year hereafter, unless the stockholders at an annual meeting shall otherwise direct; and special meetings shall be called by the president and directors whenever in their opinion the interests of the company may require it, or when it may be demanded by persons holding one-third of the capital stock, such reasonable notice to be given of the time and place of holding such meetings as may be prescribed by the by-laws of the corporation.

Annual meeting.

SECTION 8. That at every election for officers each share shall entitle the holder thereof to one vote, to be given by ballot: *Provided*, That no one stockholder shall be entitled, on account of the stock held by him, to cast more than one-sixth of the entire vote to which all the shares if held singly would be entitled; and absent stockholders may vote by agents or proxies, producing written authorities: *And provided also*, In the event of an equal number of votes being cast for two or more candidates in any election for officers, the choice between them shall be determined by lot.

Votes.

Proviso.

SECTION 9. That it shall and may be lawful for the said corporation hereby created to erect and construct works, edifices, fixtures and structures along and across any of the roads, highways, streets and waters within this state, along or across which they shall convey their wires, the said works to be so placed as not to interfere with the common use of such roads, highways, streets and waters; and the said corporation and all other persons by them authorized, appointed or employed, shall have power and authority to enter into and upon, hold, occupy and enjoy any land for the purpose of locating and constructing the said telegraph lines, and using, repairing, maintaining and enjoying the same upon which the same may be located, or which may be necessary or convenient for the location of the same: *Provided*, That such compensation previous thereto shall be made, secured or tendered to the owner or owners of the land as shall be agreed upon between the parties, or in such manner as is hereinafter mentioned.

Construct works.

Enter lands.

Proviso.

Damages.

SECTION 10. That if the said corporation and the owner or owners of any land through which the said telegraph lines shall pass, cannot agree upon the price or compensation to be paid by the said corporation for such land taken or used, or the damages done thereto, such damages shall be assessed and paid in the manner provided for by the act regulating railroad companies, passed February , one thousand eight hundred and forty-nine.

Penalty for injuries to telegraph lines.

SECTION 11. That if any person or persons shall wilfully or knowingly break, injure, destroy or interrupt the telegraph lines and communications, or any part thereof, or any work, erection, edifice, structure or device, or any part thereof, to be erected by the said company in pursuance of this act, he, she or they shall pay to the said corporation one hundred dollars for said offence, and shall be further liable for all damages which the said corporation may suffer in repairing the injury and from the interruption of their business, to be recovered in an action of trespass; and if any person incurring the penalty aforesaid shall, through insolvency or other cause, be unable or shall fail to pay the penalty or damages aforesaid, and shall a second time commit trespass upon the said lines or any part thereof as aforesaid, he, she or they shall be liable upon conviction thereof to an imprisonment in the county jail of not less than one month nor more than six months; and the legislature reserves the right to alter, revoke or annul the privileges and powers conferred by this act, whenever it shall appear that they have been misused or abused by said company.

What communications to have immediate dispatch.

SECTION 12. That the said corporation shall be bound, on application of any of the officers of this state, or of the United States, acting in the event of any war, insurrection, riot or other civil commotion or resistance of public authority, or in the prevention or punishment of crime, or with the arrest of persons charged or suspected thereof, to give to the communication of such officers immediate dispatch; for transmitting such communications, the company shall charge no higher price than for private communications of the same length.

Dividends.

SECTION 13. Dividends of the profits of the company shall be declared semi-annually, in the months of January and July, in each year: *Provided*, That no dividends shall be declared which shall impair the capital stock of said company: *And provided further*, That all dividends over twelve per centum per annum shall be paid to the state treasurer for the use of the commonwealth.

Proviso.

Meetings.

SECTION 14. All meetings of the stockholders shall be held in the borough of Lebanon, and three weeks' notice shall be given of each and every such meeting in at least one newspaper in Reading, one in Lebanon, and one in Harrisburg.

Reservation.

SECTION 15. The legislature hereby reserves the right to alter, amend or repeal this charter, whenever its provisions shall be found injurious to the citizens of this commonwealth: *Provided however*, That no injustice shall be done to the corporators.

Proviso.

WILLIAM F. PACKER,

*Speaker of the House of Representatives.*

GEO. DARSIE,

*Speaker of the Senate.*

APPROVED—The twelfth day of March, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

## APPENDIX—1850.

No. 711.

## A N A C T

Relative to the Spring Garden Health Insurance Company of Philadelphia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers and privileges granted to the "Health insurance company of Philadelphia," by the fifth and sixth sections of an act, entitled "An Act to prevent the destruction of fish in certain streams of this commonwealth; extending the powers and privileges of the Health insurance company of Philadelphia, and directing the auditor general to give certificates of the claims of S. D. Karns and Henry Petriken, for services performed in organizing the volunteer regiments from this state in the Mexican war," approved the tenth day of April, Anno Domini one thousand eight hundred and forty-nine, be and the same are hereby granted to, and conferred on "The Spring Garden health insurance company of Philadelphia county."

Powers and privileges.

SECTION 2. The board of directors shall consist of fifteen members, a majority of whom shall be a quorum for the transaction of business.

Directors.

SECTION 3. The name, style and title of the Spring Garden Health insurance company may and hereby is declared to be changed to the North American Mutual life and health insurance company.

Name changed.

SECTION 4. After providing for all risks, losses and incidental expenses, then, if there should remain any profits or surplus, the same shall be divided amongst the stockholders and the insured, according to their respective interests.

Dividends.

SECTION 5. The office of the company, for the transaction of its business, shall be held at such place in the city or county of Philadelphia, and at such agencies as the directors shall deem will best advance the interest of the stockholders; so much of any former act which conflicts with the foregoing supplement, be and the same is hereby repealed.

Office.

J. S. M'CALMONT,  
*Speaker of the House of Representatives.*

V. BEST,  
*Speaker of the Senate.*

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 712.

## AN ACT

Authorizing Joseph S. Riley to sell certain Real Estate of Benjamin Sharpe, deceased.

Preamble.

WHEREAS, Benjamin Sharpe, late of the county of Philadelphia, in and by his last will and testament, duly proved on the thirty-first day of January, Anno Domini one thousand eight hundred and thirty-five, and remaining in the office of the register of wills for the city and county of Philadelphia, did devise, *inter alia*, as follows:—I give and bequeath to my son William all my interest, being one moiety or full equal half part of and in all that certain house and lot of ground thereunto belonging, situate at the south-east corner of Chesnut and Third streets, in the city of Philadelphia, for and during the continuance of his natural life; remainder to his wife during widowhood; remainder to the children of the said William Sharpe, in fee; and in the event of said William dying without issue, remainder to the children of Thomas Sharpe:

*And whereas*, The means of the said William Sharpe are inadequate to keep the said property in tenantable order, whereby the same is falling into decay, and likely to become unproductive to the said William during life, and less valuable to the minors entitled in remainder, than if the same were sold, and the proceeds properly invested:

*And whereas*, The said William, and the minor children of said Thomas, are desirous that said property should be sold, and the proceeds secured upon the premises, or invested in some other productive and safe security; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Joseph S. Riley, surviving executor of the said Benjamin Sharpe, be and he is hereby authorized and empowered to grant, bargain, sell and dispose of the said real estate at public or private sale, and to make, execute and deliver good and sufficient deed or deeds to the purchaser or purchasers thereof, in fee simple, freed and discharged from any and every estate, trust, contingency, limitation or restriction created under or by the will aforesaid: *Provided however*, That after the payment of expenses attending said sale, the proceeds of said sale shall remain on ground rent issuing and payable out of said premises, for and subject to the same provisions, uses and purposes, as are mentioned, limited and appointed in and by the said last will and testament of Benjamin Sharpe, deceased, or shall be invested by the said executor, or by his successor in office, for and subject to the same provisions, uses and purposes as are mentioned in said last will, in such manner, and in such other securities as may be directed by the orphans' court of the city and county of Philadelphia: *And provided also*, That the purchaser or purchasers of said

Executor to sell  
real estate.

Proviso.

Proviso.

premises, his or their heirs or assigns, shall not be in any manner charged with or liable for the application, non-application, or misapplication of the purchase money, or any part thereof.

J. S. MCALMONT,

*Speaker of the House of Representatives.*

V. BEST,

*Speaker of the Senate.*

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and fifty.

WM. F. JOHNSTON.



## APPENDIX—1851.

No. 713.

## AN ACT

To change the name of George L. Cobb to George L. Pusey.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the name of George L. Cobb, of Philadelphia, shall be changed to George L. Pusey, and by that name shall be capable of suing and being sued, and taking any real or personal estate by descent, devise or purchase, and of granting or devising the same, in the same manner as if he had always been known by the name of George L. Pusey.

JOHN CESSNA,

*Speaker of the House of Representatives.*

BENJ'N MATTHIAS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.

No. 714.

## AN ACT

To incorporate the Odd Fellows Hall Association of Downingtown, in Chester county; and to change the names of John Robinson to John Bell Robinson, of Levi Duck to Levi Dock, of Isaac Duck to Isaac Dock, and of Henry Duck to Henry Dock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Stuart Leech, Richard D. Wells, Humphrey M. Ingram, and their successors, and all other persons who now are or may be

hereafter associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of "Brandywine Lodge, Independent Order of Odd Fellows, number three hundred and eighty-eight," Style. and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in any court of law or equity and elsewhere, and shall be able and capable in law and equity to take and hold, to them and their successors, either by gift, grant, devise or lease, any lands or real estate for the use of the said association, and also to take and hold for the use of the said association any goods and chattels, sum or sums of money, by gift, grant, bargain and sale, will, devise or bequest from any person or persons whatsoever capable of making the same, and the same at their pleasure to grant, bargain, sell or lease for the use of the said association, and generally to do and perform all and singular the matters and things which shall be lawful for them to do and perform for the well being and due management of the affairs of the said association: *Provided*, Privileges That the real estate of which the said corporation shall at any time be possessed shall not exceed the clear yearly value of six thousand dollars: *And provided also*, That from and immediately after the passage of this act, the title to the said lot or piece of ground, and the hall thereon erected, shall be vested in the aforesaid association as fully, to all intents and purposes, as the same is held by the persons hereinbefore mentioned. Proviso.

SECTION 2. It shall and may be lawful for the said corporation to have a common seal, and the same at will and pleasure to change, alter and renew as they shall think proper, and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted and as herein expressed. Seal.

SECTION 3. The government of the aforesaid association, and the management and disposition of its affairs and property, shall be vested in such officers as the constitution and by-laws of the said association may direct: *Provided*, That a board of trustees to consist of not less than three persons shall be elected annually, who shall, at the first meeting after their election in each year, organize by electing a president, secretary and treasurer: *And provided also*, That certificates of stock and certificates of loan shall be issued only by the said board of trustees. Government. Certificates of stock.

SECTION 4. This corporation shall have power and authority to make by-laws conformable to this charter, and not inconsistent with the laws of the United States or of this commonwealth. By-laws.

SECTION 5. That John Robinson, of Philadelphia, be and he is hereby authorized to change his name to that of John Bell Robinson, by which name he shall hereafter be known and called, and under which he shall be able and capable in law to sue and be sued, grant and receive real estate, and to do all other acts as effectually, to all intents and purposes, as he could have done by his former name if no change had been made therein. Name changed

SECTION 6. That Levi Duck, of Philadelphia county, shall be called and known by the name of Levi Dock; and Isaac Duck, of York county, shall hereafter be known by the name of Isaac Dock; and Henry Duck, of York county, shall hereafter be known by the name of Henry Dock, and by those names shall be able Names changed.

and capable in law to sue and be sued, grant, receive and inherit any estate, real or personal, and do all other legal acts as effectually, to all intents and purposes, as they could have done by their former names if no change had been made therein.

JOHN CESSNA,

*Speaker of the House of Representatives.*

BENJ'N MATTHIAS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.

No. 715.

## AN ACT

To incorporate the German Reformed Congregation of Bedford and vicinity, and authorizing said Congregation to purchase certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the German Reformed church of Bedford and vicinity, in the county of Bedford, be and they are hereby created into one body politic and corporate in deed and in law, by the name, style and title of "The German Reformed congregation of Bedford and vicinity," and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law and elsewhere; and the trustees of the said corporation shall be able and capable in law and equity to take and hold to them and their successors for the use of said church and congregation, lands, tenements, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which is now or shall hereafter become the property of said church and congregation by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest from any person or persons whomsoever capable of making the same; and the same to grant, bargain, sell, mortgage or dispose of for the use of the said church and congregation; and to erect any building for the purpose of worship, in such manner as may be directed by a majority of the congregation that may be present at a meeting to be held for that purpose, of which such meeting at least two weeks' notice shall be given from the pulpit or clerk's desk, or in any other way a majority of the trustees may direct, and generally to do all and singular the matters and things which shall be lawful for them to do for the well-being and due management thereof: *Provided*, That the clear yearly income of said estate shall not at any time exceed twenty-five hundred dollars.

Name

Privileges.

SECTION 2. The trustees of said church and congregation shall be five in number, and until others shall be elected shall consist of the following named persons, viz.: William Stahl, John S. Richey, Jacob Bollinger, John P. Reed and Henry Koontz, Jr., to continue in office until the first Saturday of April, Anno Domini one thousand eight hundred and fifty-two, at which time, and annually thereafter, the members of said congregation may, at a general meeting, elect by ballot, or *vice voce*, as they may determine, five persons to serve as trustees for the ensuing year; the trustees herein appointed, and those which may be hereafter elected, shall continue in office until their successors are duly chosen; if vacancies by death or otherwise shall happen in the office of trustee, the remaining trustee or trustees may appoint others to supply such vacancy or vacancies of the person or persons through whom such vacancy happens, to serve until the next annual election.

Trustees and  
their election.

Vacancies

SECTION 3. The said trustees and their successors shall have full power to enact and enforce such by-laws and ordinances as they shall think proper for the regulation and transaction of the business of the congregation, and to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and if said congregation neglect on the day of the annual meeting to hold their election, the corporation shall not be dissolved, but a majority of the trustees may appoint any subsequent time on which the election may be held: *Provided*, That notice thereof be given from the pulpit or clerk's desk, or in such other manner as a majority of the trustees may think proper to direct, at least two weeks before said election: *And provided also*, That the said by-laws and ordinances shall not be inconsistent with the constitution and laws of this state or of the United States.

Power of trustees

Proviso.

SECTION 4. That the title to the one undivided half part of the real estate and the church edifice thereon erected, situate in the town of Bedford, and heretofore occupied by the congregation herein incorporated, and the Evangelical Lutheran congregation of Bedford, be and the same is hereby vested in fee simple in the congregation hereby incorporated; and the corporation hereby created is fully authorized to purchase the other undivided half part of said real estate, or any part thereof, from the Evangelical Lutheran congregation aforesaid, at and for such sum or sums of money as may be agreed upon between the parties for the sole use, benefit and behoof of the German Reformed church and congregation aforesaid.

Real estate vested in congregation.

And may purchase.

JOHN CESSNA,

*Speaker of the House of Representatives.*

BENJ'N MATTHIAS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.

No. 716.

## A N A C T

Incorporating the Coudersport, Portage and Allegheny River Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Lyman, Miles White, C. W. Ellis, N. L. Dike, Samuel Haven, Almeron Nelson, N. J. Mills, Timothy Ives, A. S. Arnold, Horace Leet, Joseph Morse, junior, Sobeiski Ross, Zenus C. Cowley and Orlo J. Hamlin be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Coudersport, Portage and Allegheny River railroad company, with power to construct a railroad, commencing at the Coudersport coal mines, in the county of Potter, and running down the Allegheny river to the Canoe place, in M'Kean county, from which point they shall have power to build a branch road by way of the Portage coal mines to the mouth of the Portage Branch of Sinnemahoning, in the said county of M'Kean, thence down the said river Allegheny to the New York state line, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, except that part of said act that requires such road to be commenced within three years from the passage of said act, which in this case shall be extended for five years.

SECTION 2. That the capital stock of said company shall consist of twenty thousand shares: *Provided,* That the said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock, if it shall be necessary, to an amount sufficient to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of said road within five years, and complete the same in ten years from the organization of the company, this act shall be null and void, except so far as the same may be necessary to wind up the affairs, and pay the debts of the said company.

JOHN CESSNA,

*Speaker of the House of Representatives.*

BENJ'N MATTHIAS,

*Speaker of the Senate.*

APPROVED—The twelfth day of April, one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.



No 717.

## A N A C T

To incorporate the Spring Garden Saving Fund Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John H. Dohnert, Lawrence Shuster, Edward Wartman, William Warner, Henry Rihl, Charles Brown, John H. Campbell, James D. Whetham, John Strawbridge, Nathan L. Hatfield, Charles W. Bacon, George Williams, Lewis Krumbhar, Joseph Collins, Thomas Hart, George W. Tryon, William S. Hallowell, John M. Kennedy, Michael D. Whartman, Thomas H. Powers, David Waelper, Benjamin Baker, John M. Ogden, John T. Smith and William H. Smith, of the county of Philadelphia, and their successors forever, be and they are hereby erected and made one body politic and corporate, in deed and in law, by the name, style and title of the Spring Garden saving fund society, and by that name shall have perpetual succession; and the said Spring Garden saving fund society shall be invested with all the powers, rights and privileges, and subject to all the restrictions, limitations and provisions prescribed by an act, entitled "An Act to incorporate the Philadelphia saving fund society," approved the twenty-fifth day of February, one thousand eight hundred and nineteen, and the several supplements thereto.

JOHN CESSNA,

*Speaker of the House of Representatives.*

BENJ'N MATTHIAS,

*Speaker of the Senate.*

APPROVED—The fourteenth day of April, one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.

## APPENDIX—1852.

No. 718.

## AN ACT

To incorporate the Philadelphia Band of Philadelphia, instituted October the first, one thousand eight hundred and thirty.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Jacob William Beck, Charles Beck, Henry Beck, James Madison Beck, Benjamin G. S. Wilkes, Anthony Beck, Galusha H. Johnson, Henry G. Haedrich, Charles Fortnum, Robert Gardiner, Henry Gebhard, James W. Snyder, Augustus Korndoefer, George L. Watt and Ernest Seim, and their successors, and all persons who now are or hereafter may be associated with them, be and they hereby are created and erected into a body politic and corporate in deed and law, by the name, style and title of
Style.	"The Philadelphia Band, No. 1;" and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in any court of law or equity and elsewhere, and shall be able and capable in law and in equity, to take and hold to them and their successors, either by grant, devise or lease, any lands or real estate; and also to take and hold, for the use of said association, any goods and chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise, bequest or otherwise, from any person or persons whatsoever capable of making the same; at their pleasure to grant, bargain and sell, for the use of said association; and generally to do all and singular the matters and things which shall be lawful for them to do, for the well being and due management of the affairs of said association: <i>Provided</i> , That the real estate of said corporation shall not exceed the net yearly income of three thousand dollars.
Privileges.	
Proviso.	
Officers.	SECTION 2. That the officers of this association shall consist of a president, vice president, secretary, treasurer, leader, conductor of the music, auditor, a standing committee, and such other officers and committees as the association may think proper to appoint, from time to time, by their by-laws.
Annual election.	SECTION 3. That the officers of this association shall be elected annually, at such time and place as shall be provided for in the by-laws.
Membership.	SECTION 4. That each person, on being admitted a member of this association, shall sign the constitution, and pay such entrance money, and monthly and other dues and contributions, as the

association may by their by-laws, from time to time, resolve and declare.

SECTION 5. That a member may be expelled under such provisions as shall be stated in the by-laws. Expulsion.

SECTION 6. That persons may be admitted as honorary members, under such regulations as shall be stated in the by-laws. Honorary members.

SECTION 7. That persons may be admitted as contributing members, under such provisions as shall be stated in the by-laws. Contributing members.

SECTION 8. That the duties and rights of the officers and members, the mode of supplying all vacancies, the time and place of meeting, the number required for a quorum, the terms of admission, the mode of electing members, and any other concerns of the association, shall be regulated by the by-laws hereafter to be made. Rights and duties of officers.

SECTION 9. That the corporation shall have power and authority to make by-laws conformable to this charter, and not in violation of the constitution and laws of the United States, or of this commonwealth: *Provided*, That the legislature reserves the right to amend, alter or annul this act at any time hereafter. By-laws.

JOHN S. RHEY,  
*Speaker of the House of Representatives.*

JOHN H. WALKER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-two.

WM. BIGLER.

## APPENDIX—1853.

No. 719.

## AN ACT

To incorporate the Ligonier and Latrobe Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. Alexander Johnson, Joseph Morehead, Samuel P. Cummins, Robert Graham, John Hargnett, John T. M'Gowen, Oliver W. Barns, Jacob Keffler, Joseph Neiswanger, Robert Louthier, John Armor, Joseph Nagle and William Head, of Westmoreland county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Ligonier and Latrobe railroad company," with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete said road, and to carry out the true intent and meaning of this act.

SECTION 3. That the said company shall have the right to construct a railroad, beginning at the borough of Ligonier, in Westmoreland county, on the Loyalhanna creek, thence to the town of Latrobe by such practicable route and moderate grade as will, in the opinion of the president and directors of the said company, most conduce to the public interest; also, with privilege of connecting at or near Latrobe with the Pennsylvania railroad company, on such terms and conditions as the respective companies may agree, and with the further privilege of extending said road in a south-easterly direction from the said borough of Ligonier to such point in Westmoreland or Somerset counties as may be deemed expedient in the opinion of said company.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-three.

WM. BIGLER.

## APPENDIX—1854.

No. 720.

## AN ACT

To incorporate the Littlestown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Renshaw, George Myers, Joseph A. Shorb, Joseph Barker, George Nell, Daniel Crouse, Edmund F. Shorb, John Moehring, John Houppman, William M'Sherry, Daniel Moehring, John Miller, Joseph L. Shorb, Isaac Staub, Joseph Rider, Galbreath Ege, John Spangler, Benjamin Landis, Jacob Sterner, Enoch Lefever, George Will, Ephraim Swope, Joseph Fink, Watson Barr, Samuel Durboraw, Samuel P. Young, Daniel Basehoar, David Feesser, George Arnold, Jacob Baumgardner, Francis Kline, Peter Hesoon, Ephraim Myers and Michael Harner be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Littlestown railroad company, with power to construct a railroad from Hanover, in York county, connecting with the Hanover Branch railroad, or any extension of the same, at or near said town of Hanover, and terminating at or near Littlestown, in Adams county, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, except so far as the same are hereby altered or supplied.

SECTION 2. That the capital stock of said company shall consist of fifteen hundred shares, of fifty dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That if a sufficient amount of the capital stock of the company shall not have been subscribed to complete the said railroad hereby authorized to be made, the president and managers may borrow, on such terms as they may deem advisable, any such sum which may be necessary for that purpose, not exceeding two-thirds of the stock of the company really subscribed for, and may pledge the fee simple of the property, rights and privileges belonging to said company for the security and re-payment thereof: *And provided*, That no bond shall be issued for a less sum than one hundred dollars.



Completion.

SECTION 4. That if said company shall not commence the construction of said road within four years, and complete and open the same for use, with at least one track, within eight years, then this charter shall be null and void.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This seventeenth day of February, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 721.

## AN ACT

To incorporate the Kensington Mutual Fire and Marine Insurance Company.

Preamble.

WHEREAS, Henry Bumm, Andrew Manderson, Jr., George J. Hamilton, Dr. George Rex, Andrew J. Wester, John P. Rice, Edward W. Gorgas Charles M. Lukens, Henry Delany, John A. Fisher, James H. Hurtt, Edward H. Wester, William H. Rotan, Robert V. Barber, H. A. Salter, John P. Verree, John H. Bringhurst, Abraham P. Eyre, Jacob Jones, Jonathan Jenks, Samuel Vaughan, Joseph Glading, John Smick, Michael Collars, William Albertson, Frederick Glading, Benjamin Moore, James P. Davis, James Landy, Smith Skinner, Adam Richards, Joseph M. Ritterson, Henry Huplet, Peter Fisher, Peter Rambo, John H. Cook and John Naglee, have associated themselves together for the purpose of making fire, marine and inland insurances, and transacting the business connected therewith, and have applied to the legislature for an act of incorporation for said purpose.

Name.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the aforesaid persons, and those who may hereafter become associated with them, shall be known and styled the Kensington mutual fire and marine insurance company, and by the same name have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters which it shall lawfully appertain

Privileges.

to them to do, as for the well-being of the said corporation and the due management and ordering of the affairs thereof.

SECTION 2. That the capital stock of the Kensington mutual fire and marine insurance company shall consist of one thousand shares of one hundred dollars each, to be paid for in such instalments as the board of directors of said company may determine, which said capital may, at any time hereafter, be increased by them not exceeding three thousand shares, of one hundred dollars each, and if any subscriber, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made, on account of the share or shares so forfeited, and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board.

SECTION 3. That the affairs of said company shall be managed by twelve directors, to be chosen annually, as is hereafter directed, on the third Tuesday in April, Anno Domini one thousand eight hundred and fifty-four, between the hours of ten A. M. and seven P. M., from among the members of the corporation; the directors for the time being shall appoint a president, vice president and secretary of the company, and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation; to take bonds in the name of the corporation from all or any of them, with security conditioned for the faithful execution of their several duties, and who shall perform the duties of their respective offices until they shall have been re-elected, removed from office, or their successors shall be chosen; the said directors shall allow the persons so appointed such compensation for their services, respectively, as they shall deem reasonable, and generally to exercise all other powers and authority for the well-governing and ordering of the affairs and funds of said corporation, as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of said corporation. In case of death or resignation of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

SECTION 4. That at all elections for directors the vote shall be by ballot; each share of stock shall have one vote, and each insured member for any sum paid as premium of insurance to said company, three months previous to, and within the year preceeding said election, amounting to twenty dollars, one vote, and for every additional twenty dollars, paid as aforesaid, one vote. No stockholder or insurer shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name on the books of the said corporation for three months previous to said election: *Provided*, That every stockholder at the time of the first election of directors shall have and enjoy the said privilege of voting as aforesaid; and the first election of directors shall be held on the third Tuesday in April from and after the passage of this act, and the directors chosen at said election shall hold their offices until the first annual election, as herein provided for, and until new directors shall be chosen.

Directors to be  
classified.

SECTION 5. That at the first meeting of the directors after the first annual election, the secretary shall take the names of the directors, and divide them by lot, into three classes: the term of office of the first class shall expire at the first annual election thereafter, the term of the second class shall expire at the second annual election thereafter, and the term of the third class shall expire at the third annual election thereafter; and at the second annual election, and at every annual election thereafter, the stockholders and others qualified to vote for directors by this act, shall elect four directors to hold office for three years, and when a vacancy by death, resignation or otherwise occurs, such vacancy shall be filled at the next annual election of directors for the unexpired term of such director or directors.

Insurances.

SECTION 6. That the Kensington mutual fire and marine insurance company shall be empowered to take risks against fire on all kinds of merchandize, buildings and other property, either limited or perpetual; and further to effect marine and inland insurance on vessels, cargoes and freight, and on merchandise and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise; and to execute such agreements, policies and other instruments, as shall or may be necessary to effect the same; and it may and shall be lawful for any and every person to insure marine, fire and inland transportation risks with said company, and to become members of the said corporation, and be entitled to a *pro rata* share of any profits which may be made by such insurances, to be declared and divided as hereinafter directed by the provisions of this act.

Investments of  
capital.

SECTION 7. That it shall and may be lawful for the said company to employ and invest their capital stock, and other moneys of said company, in bonds and mortgages or real estate, in respondentia, bottomry, ground-rents, stocks or loans of the United States and state of Pennsylvania, and in other good securities, and to sell and transfer the same, and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing or holding real or personal property, stocks or other securities, in payment of debts due them, or to secure the same in any manner that the interests of the said corporation may require; or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign and convey the same in fee simple or otherwise.

Proviso.

Banking prohib-  
ited.

SECTION 8. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper.

Annual account.

SECTION 9. That the directors shall, on the third Tuesday in March of each and every year, cause a balance to be struck of the debts and credits of the company; and if there shall be a surplus, after paying losses and expenses for the year preceding the same, they shall first set aside out of the said surplus not exceeding six per centum on the amount of the capital stock paid in, and the remainder of the said surplus shall be divided among the stockholders and insured members, in proportion as their respective amounts of stock held or premiums determined may bear to the collective sum of stock and premiums aforesaid.

Dividends.

SECTION 10. That within sixty days after the yearly balance aforesaid of the said company shall be struck, the directors shall cause to be paid to the stockholders, in cash, six per centum on the capital stock paid in, if their surplus amounts to so much, and for the remainder they shall issue the company's certificate to such insured members and stockholders, agreeably to the provisions of the last section, stating the amount of such surplus which shall be ascertained to be due them on striking said balance; such certificate shall be entitled to a dividend not exceeding six per centum, to be paid out of the profits thereafter declared by the company.

Payment of dividends.

SECTION 11. That the profits of said company shall in no case be withdrawn except as herein provided, but shall remain liable to all losses and expenses thereof, such liabilities to be expressed in the face of said certificates; and the president and directors shall have, in case of loss, the power to declare a *pro rata* deduction of the amount of the outstanding certificates, and issue new ones in their stead, less the *pro rata* deduction; and no dividend shall be declared, nor certificate issued, nor interest paid either to stockholders or certificate-holders when the capital stock shall be impaired, nor shall any dividend be paid on certificates of surplus profits until the said dividend on the stock of the company be first provided for.

Profits and dividends.

SECTION 12. That no certificate shall issue for any sum less than ten dollars, nor for any fractional part of ten dollars; but all such fractional parts or sum or sums less than ten dollars shall be passed to the contingent fund of the company, and applied to the expenses or other charges thereof. The said certificates shall not be transferable except on the books of the company, and a transfer book shall be kept for that purpose. No certificate shall issue to any person who is indebted to said company. Certificates shall be subject to and bound by any judgment the company may obtain against the holder thereof, and the interest of such holder may be sold under an execution issued on said judgment, as any other species of personal chattel. No certificate shall issue unless claimed within two years after the declaration of the dividend whereof it is evidence, but the amount thereof shall, at the expiration of that time, be carried to the credit of the company.

Certificates.

SECTION 13. That every insured member or certificate-holder having paid the amount of his or their respective premiums, premium notes, subscription notes or other debts due said company, shall be free from any liability or responsibility for or on account of any and all losses and expenses which said corporation may any time sustain or incur.

Liability of members.

SECTION 14. That the said company may from time to time receive notes or other securities, real or personal, as premiums from persons intending to effect insurance therewith, or from any other person or persons, under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred or conveyed by the said company for the purposes of paying claims for losses accruing in the course of its business; and on such portions of said notes or securities as may exceed the amount of premiums paid or agreed to be paid by the parties from whom the same

Notes, &c.



may have been received, the said company may allow and pay such interest or other compensation, not exceeding five per centum per annum, as may be agreed upon by the directors.

Perpetual insurances.

SECTION 15. That perpetual or permanent or limited insurances may be taken without the parties thereto becoming members, or being entitled to any part of the profits of said company.

Suits.

SECTION 16. That suits at law may be prosecuted and maintained by any member against said corporation for losses or damages insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses; and no member of the corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness.

Redemption of certificates.

SECTION 17. That when the net profit or surplus remaining in the possession of the company shall exceed the sum of ten thousand dollars, the excess may be applied to the redemption of the certificates issued by the company, in such manner and at such times as the directors thereof may deem proper and expedient; and all claim or right to any interest or dividend on said certificates shall cease after two weeks' notice, published in two of the daily papers of the city of Philadelphia, that the company will redeem the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 722.

## AN ACT

To incorporate the Evergreen Cemetery Association of Gettysburg.

Preamble.

WHEREAS, Certain citizens of this commonwealth, hereinafter named, have associated together, for the purpose of establishing a cemetery in the vicinity of the borough of Gettysburg, in the county of Adams, as a place of burial for the said borough and vicinity, and have negotiated with George Schryock, C. W. Hoffman, Joel B. Danner and D. M'Conaughy, for the purchase of certain lands lying near said borough, which said owners are ready to convey to a company to be chartered for said purpose, and to lay out the same in burial lots, squares and avenues, and embellish and improve the same; therefore,



SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That D. M'Conaughy, John B. M'Pherson, Moses W'Clean, C. W. Hoffinan, Abraham Arnold, Thomas Warren, C. P. Krauth, Henry J. Stahle, S. S. Schmucker, Solomon Powers, Joel B. Danner, H. S. Huber, William B. Meals, M. L. Stoever, David Horner, John Gilbert, R. G. Harper, Joseph Bayley, George Trostle, George Swope, David A. Buehler, Samuel Herbst, A. B. Kurtz, Josiah Benner, Abraham Spangler, George Bringman, John Weinbrenner, and their successors, and all persons who now are, or who may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate in deed and in law, by the name, style and title of the Evergreen cemetery association of Gettysburg, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure to alter or renew ; and shall have power to purchase, have, hold and enjoy to them and their successors, and all who shall be associated with them, all such lands as the said George Shryock, C. W. Hoffinan, Joel B. Danner and D. M'Conaughy, or either or any of them shall convey to said company, with such other real estate as they may require, for the purpose of establishing said cemetery : *Provided,* That the whole quantity of real estate to be held by them as a corporation, shall not exceed twenty-five acres; and the said corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be necessary to carry out the object of this act.

Corporators.

Style.

Privileges.

Proviso.

SECTION 2. That the affairs of the said corporation shall be conducted by a president and seven managers, who shall be elected by a majority of the votes of the members of the corporation on the first Monday of June in each and every year; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; and at all elections for officers, each person, natural or artificial, holding stock in said company, shall be entitled to one vote only.

President and managers.

SECTION 3. The president and managers shall fill all vacancies which may occur in their own body, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect such buildings thereon as may be necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensation, and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, for the government of lot-holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof.

Vacancies.

By-laws.

SECTION 4. That no streets or roads shall hereafter be opened through the lands of said corporation, except by and with the consent of the said company, and that any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other structure placed in the cemetery aforesaid, or any fence, railing or other work, for the protection

Opening streets and roads in cemetery.

Penalty for injuries to grounds. or ornament of said cemetery, or of any tomb, monument, grave-stone or other structure placed therein as aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of the said cemetery, or shall shoot or discharge any gun or other fire arms within the limits thereof, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any justice of the peace of the county of Adams, be punished by a fine at the discretion of the justice, according to the aggravation of the offence, of not less than five, nor more than fifty dollars, or shall, on conviction thereof in the court of quarter sessions of said county, be punished by fine as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

Exemptions.

SECTION 5. That every lot conveyed in said cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment on execution; and all the grounds held by the company hereby incorporated, and actually enclosed, laid out and used for burial purposes, shall be exempted from all taxation while so used for purposes of sepulture.

Certificates of stock and their payment.

SECTION 6. That certificates of stock issued to subscribers shall be received from them by the association at their face value in the purchase of lots by them, and that the moneys arising from sales of burial lots in said cemetery, made after the first year's sales, shall, as received, be applied to redeem the residue of the stock which shall not be surrendered for lots, by paying back the original sums paid therefor, and six per centum per annum interest thereon, to be appropriated annually to the payment, first of the interest, and then to the principal sums *pro rata*, and so on untill the whole be redeemed; and after the stock shall be fully surrendered in the purchase of lots, and redeemed in the manner above specified and required, the lot holders shall become *eo instanti* members of the corporation, and each have a right to vote for the officers thereof; and at all elections held thereafter under this act, each member of the corporation shall be entitled to one vote and no more: *Provided*, That all the money raised thereafter from the sale of lots shall be expended in improving, repairing and maintaining the said cemetery: *And provided also*, That until an election shall be held under the provisions of this act, D. M'Conaughy, Moses M'Clean, C. W. Hoffman, C. P. Krauth, Abraham Arnold, Thomas Warren, S. S. Schmucker, H. J. Stahle, A. B. Kurtz, Joel B. Danner, Wm. B. Meals, Michael Jacobs and Josiah Benner shall be managers of the corporation, and shall elect a president from their number.

Burial of poor.

SECTION 7. That in order that ample provision be made and secured for the burial of the poor, each of the religious denominations or churches in said borough of Gettysburg that has or shall, in its corporate capacity, subscribe stock in the said cemetery association, shall, in addition to equal privileges with other stockholders, be entitled, for each dollar of stock subscribed and paid in by it, to the privilege of a single interment of one poor person within such congregation, certificates of the corporate officers of such church to the fact of the poverty of a deceased person to be *prima facie*, but not conclusive evidence of poverty: *And provided*, That said denominations shall not have the privi-

lege of surrendering their stock for lots, but it shall be subject to be redeemed as hereinbefore provided.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 723.

# AN ACT

To extend the Charter of the Lycoming County Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Lycoming County mutual insurance company be and the same is hereby extended and continued perpetually from and after the expiration of the present charter: Provided, That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 724.

## AN ACT

To incorporate the East Brandywine Railroad Company.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Charles Downing, William Dowling, senior, David Shelmire, Jacob E. Parke, Doctor Jacob Sharpless, James M. Dorlan, John M'Clure, John Cornoy, A. R. M'Ilvaine, James Moore, William Henderson, junior, Thomas Marple, David Potts, junior, Jacob Dingler, Jesse James, John Lincoln, George Fleming, Isaac W. Vanlear, William Trimble and David Wilson, of the county of Chester; Coffin Colket, George W. Carpenter, Charles Henry Fisher, J. Edgar Thompson, Joseph Swift, H. L. Gaw, J. W. Ryerfse, A. E. Dougherty, Alexander Benson, E. C. Dale, Morris S. Wickersham, George R. Smith, George G. Thomas, Robert Smith, Brooke Buckley and Thomas R. Woodhouse, of the city of Philadelphia; William H. Slingluff, of Montgomery county, and John Bruner, Henry Mingle and Clement Brooke, senior, of Berks county, or any two of them, be and they [are] hereby appointed commissioners to open books, receive subscriptions and</p>
Style.	organize a company by the name, style and title of the East
Subject to.	Brandywine railroad company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An [Act] regulating railroad companies," approved the nineteenth day of February, one thousand eight [hundred] and
Capital stock.	forty-nine.
Proviso.	<p>SECTION 2. That the capital stock of said company shall consist of five thousand shares of fifty dollars each: <i>Provided</i>, That said company may, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as may be necessary to complete the said road, and to carry out the intent and meaning of this act: <i>Provided</i>, That the whole amount of the capital stock of said company shall not exceed three hundred thousand dollars.</p>
Route and connections.	<p>SECTION 3. That said company shall have the right to build or construct a railroad, beginning at the Columbia railroad at or near Downingtown, in Chester county, and with the consent and approbation of the board of canal commissioners in writing, may, under such rules, regulations and restrictions as shall be decided upon by said board, connect with the said Columbia railroad, and on such terms as may be agreed upon by the two corporations, connect with the Chester Valley railroad, and thence along the eastern or main branch of the Brandywine, and terminating at a point in the line of the Cornwall and Phoenixville, or Lancaster, Lebanon and Pine Grove railroad, and connecting therewith, between Hause's store and the town of Springfield, in said county.</p>

SECTION 4. That said company may at any time extend their <sup>Branches.</sup> road, by branches or otherwise, to ore banks or other important points of business: *Provided*, That no such branch or extension shall exceed four miles in length.

SECTION 5. That said company shall complete and open for use <sup>Limitation.</sup> the said railroad, with one track, within six years from the passage of this act.

SECTION 6. That the said company be and they are hereby authorized to pay to the shareholders entitled to receive the same, <sup>May pay interest to shareholders.</sup> in the months of July and January of each year, interest at the rate of six per centum on all instalments paid, and continue to pay interest upon the same until the said railroad shall be completed, and that all freight and earnings of said railroad shall be credited to, and all interest thus paid shall be charged to the cost of construction: *Provided*, That interest shall not be paid upon <sup>Proviso.</sup> any shares of stock upon which any instalment has become due and remains unpaid.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 725.

## AN ACT

To incorporate the Franklin and Bedford Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George W. Zeigler, Thomas McCauley, Daniel Snively, John <sup>Commissioners.</sup> Rowe, Charles Hartman, George Cook, John M. McDowell, William D. McKinstry, James O. Carson, James C. Boyd, John H. Murphy, H. N. Eberley, Hezekiah Easton, A. Burkholder, Nathaniel Kelley, Henry K. Strong, J. McCanless, William T. Daugherty, William P. Schell and Thomas Collins, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Franklin and Bedford railroad <sup>Style.</sup> company, with all the powers, and subject to all the restrictions prescribed by an act, entitled "An Act regulating railroad <sup>Subject to.</sup> companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, with power and



- Route. authority to build and construct a railroad, beginning at or near the borough of Greencastle, in the county of Franklin; thence westward by way of, or as near as practicable, to the towns of Mercersburg and Loudon; thence by the most expedient and practicable route to any point of connection or intersection with any other railroad now incorporated: *Provided*, That the said railroad shall be commenced within five years, and completed within ten years from the passage of this act.
- Proviso. SECTION 2. That the capital stock of said company shall consist of forty thousand shares, of fifty dollars each: *Provided*, That the said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase the capital stock, if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act; for the purpose of completing and equipping the said railroad, the said company shall have the power of borrowing any sum of money not exceeding two millions of dollars, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds, and a mortgage of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to the said bonds and mortgage the privilege of converting the same into capital stock of the said company at par, at the option of the holders, if they shall signify the election in writing, so as to convert the same one year before their maturity: *Provided*, That the said company shall issue no certificate of loan of less denomination than one hundred dollars.
- Capital. Borrow money and mortgage road.
- Tolls. SECTION 3. That whenever any section or sections of five miles of said railroad shall be completed, the said company may use, employ and enjoy the same in the same manner as when the entire length thereof shall be constructed.
- May pay interest to stockholders. SECTION 4. That the president and directors of the said company be and they are hereby authorized to pay to the stockholders entitled to receive the same, in the months of January and July in each year, interest at the rate of six per centum per annum on all the instalments paid by them after the passage of this act, and to continue to pay the same until the road shall be completed; and the profits or earnings of the said railroad within the same time shall be credited to the cost of construction, and all the interest paid shall be charged to the cost of construction: *Provided*, That the interest shall not be paid upon any share of stock upon which any instalment which has been called for remains unpaid: *Provided further*, That the stock of said company shall not be subject to any tax in consequence of the payment of interest hereby authorized, nor until the net earnings shall realize at least six per centum per annum upon the capital invested.
- Proviso. SECTION 5. That the said company shall not prevent any person or persons, being the owner or owners of land bordering on or adjacent to said railroad, from making lateral railroads, and connecting the same with the railroad of the company, for the purpose of transporting thereon their produce or other material, being the products of said land, the said connections being made at the expense of the person or persons wishing the same, and according to the directions, and subject to the approval of
- Lateral roads.

the directors of said company, or their authorized agent; and it shall be lawful for the said company to make lateral railroads or branches leading from the main line of their said railroad to such convenient place or points in either of the counties into or through which the said main track of their road may pass, as the president and directors may deem advantageous, and suited to promote the convenience of the inhabitants thereof, and the interests of said company.

SECTION 6. That the governor is hereby authorized to issue Letters patent. letters patent to said company when fifty thousand dollars shall have been subscribed to the capital stock thereof, and five dollars on each share shall have been paid in cash: *Provided*, That no subscription to the capital stock of said company shall be construed to be invalid, by reason of no money having been paid at the time of subscribing.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 726.

## AN ACT

To incorporate the M'Cauley Mountain Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George A. Frick, of Montour county; Charles F. Mann and George Scott, of Columbia county; Lee W. Buffington, Jacob Loose and Oliver Hough, of Philadelphia, their associates, successors and assigns, are hereby incorporated into a body corporate in deed and in law, with all the powers and privileges, and subject to all the regulations and restrictions contained in an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, not inconsistent with the provisions of this act.

SECTION 2. That the capital stock of said company shall consist of five thousand shares of fifty dollars each, to be increased, if deemed necessary by the stockholders to carry out the objects of this act, to any amount not exceeding three thousand shares.

SECTION 3. That the said company shall have the right to construct a railroad, with as many tracks as may be deemed necessary, from the coal mines on M'Cauley's mountain, in the

county of Columbia, by such route as may be deemed expedient, to some suitable point on the Catawissa railroad, and connect therewith: *Provided*, That such railroad does not exceed twelve miles in length.

Borrow money.

SECTION 4. That the said company are hereby authorized to issue, sell and transfer the capital stock aforesaid, and to apply the proceeds thereof to the construction of said railroad; and also to borrow a sum of money, at a rate of interest not greater than seven per cent. per annum, for the purposes aforesaid, not exceeding two hundred thousand dollars, and to issue their bonds or obligations for the same, in sums not less than one hundred dollars each, and to mortgage the road and franchises of the company as security therefor.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 727.

## AN ACT

To incorporate the Mount Pleasant Cemetery, in Westmoreland county.

Corporators.

Style.

Privileges.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James M'Connaughy, John Lloyd, Joseph Lipincot, Benjamin Shallenberger, J. Sherick, David Kiester, Daniel Shupe, J. M. Calip, Samuel Miller, senior, Ab'm Overholt, junior, B. Hemp, Matthew M'Millen, Ab'm Shallenberger, Jacob Stall, D. S. Metzgar, Lewis Vaight, W. R. Griffith, A. Hickman, H. Eichar, and their successors, and all persons who now are or who may hereafter be associated with them, either by subscription, contribution or as lot-holders, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Mount Pleasant cemetery, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure to alter or renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, the aforesaid piece of land, with such other real estate as they may require near the borough of Mount Pleasant, in Westmoreland county, for the purpose of establishing said cemetery: *Provided*,

That the whole quantity of land shall not exceed ten acres; and the said corporation shall have authority to receive gifts or bequests for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be necessary to carry out the object of this act.

SECTION 2. That the affairs of said corporation shall be conducted by a president and four managers, who shall be elected by a majority of the votes of the members of the corporation every year, on the day and at the place specified in the by-laws, and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; the said president and managers shall fill all vacancies that may occur in their own body by selecting a lot-holder to supply any such vacancy occurring by resignation, removal, death or otherwise, and shall have power to lay out and ornament the ground purchased for the said cemetery, to erect such buildings thereon as may be necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers and fix their several duties and compensation, and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, for the government of lot-holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof.

President and managers.

Vacancies.

By-laws.

SECTION 3. That all the land thus purchased and held by the corporation, and every lot conveyed in said cemetery, shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment or execution; and all grounds held by the company hereby incorporated, and actually enclosed, laid out and used for burial purposes, shall be exempted from all taxation while so used for purposes of sepulture.

Lots, how held and transferred.

SECTION 4. That the corporators thus created shall derive no personal or pecuniary advantage or profit thereby, and shall not receive any pay or compensation for the performance of any duties that shall devolve upon them as such; the board of managers shall not be entitled to receive any pay or compensation as such; the whole proceeds of the sale of lots and other income are hereby declared and directed to be appropriated to cemetery purposes alone, and to such outlays and expenditures as are incident thereto.

Officers not to receive pay.

SECTION 5. That at all elections held under this act, each member of the corporation shall be entitled to one vote, and no more: *And provided further*, That until an election shall be held under the provisions of this act, the persons hereby incorporated shall be managers of the corporation; any five of them shall constitute a quorum capable of transacting business.

Votes.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 728.

## AN ACT

To Annul the Marriage Contract between Dorothea Barndt and Augusta Barndt.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Dorothea Barndt and Augusta Barndt, her husband, both late of the county of Washington, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from the duties and obligations arising therefrom, as fully, effectually and absolutely as if they had never been joined in marriage.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of June, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 729.

## AN ACT

To Annul the Marriage Contract between Charles Schlatter and Caroline, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Charles Schlatter and Caroline, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, as fully and effectually as if the same had never been joined in marriage.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.



## APPENDIX—1855.

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No. 730.

## AN ACT

Relative to the Estate of the Reverend Robert Blackwell, D. D., deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the present or any future trustees under the last will and testament of the Reverend Robert Blackwell, D. D., deceased, shall have power in addition to the investing in the securities prescribed in his said last will and testament, to invest the funds of their trust on trusts in the loans of this commonwealth, or in loans of the city of Philadelphia, and shall have power to make sale and conveyance for cash or mortgage, or on ground rent, all or any part or parts of the real estate held upon the trusts created by the last will and testament aforesaid: *Provided however,* In regard to the sale of such real estate, that the proceeds be held on the same trusts as the property was previously, and that before any deed be actually executed, the said trustees shall give security to be approved by the orphans' court for the faithful application of the proceeds of such sale.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 731.

## A SUPPLEMENT

To the Charter of the Thomas Iron Company, approved April four, Anno Domini one thousand eight hundred and fifty-four.

May increase  
capital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the stockholders of the Thomas iron company, at a meeting to be called in the usual manner under their charter, to authorize the president and directors to increase the capital stock of said company to five hundred thousand dollars, subject to the payment of the same taxes imposed by their original act of incorporation; payment of taxes to be made when the additional capital is called in, and the additional stock issued.

May build rail-  
road.

SECTION 2. That the said company shall have the power to construct a railroad, with one or more tracks, from their works on the Lehigh river, to connect there with their mines of iron ore at or near Rothrocksville, in Berks county, and to use any part of such road until the whole is completed, subject to the provisions of the act regulating railroads, passed February nineteen, Anno Domini one thousand eight hundred and forty-nine, or the supplements thereto, except as provided herein, and the charter to which this is a supplement: *Provided*, That the said company shall form a connection with the Lehigh Valley railroad on the same level, and with the same gauge, and having, at the point of junction, a curvature of not less than nine hundred feet radius.

Subject to.

Proviso.

May subscribe to  
another railroad.

SECTION 3. That the said company shall have power, if they shall decide not to construct said road, to subscribe to the capital stock of the Catasauqua and Fogelsville railroad company, any sum not exceeding the sum of five hundred thousand dollars: *Provided however*, That said company shall not construct said railroad, nor make said subscription, without the consent first obtained of two-thirds of the stockholders therein.

HENRY K. STRONG,

*Speaker of the House of Representatives.*

WM. M. HIESTER,

*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 732.

## A N A C T

To incorporate the Mount Moriah Cemetery Association of Philadelphia.

WHEREAS, The practice of intra-mural interments has been found injurious to the health of the living in populous cities, and the propriety of providing suitable places for depositing the bodies of the dead in convenient proximity to but beyond the compactly built portion of the town, has been fully recognized both as a sanitary and religious obligation ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert P. King, William D. Kelley, George H. Hart, William Harbeson, Dr. William Calvert, Francis Blackburne, James F. Johnston, John M'Carthy, Thomas Hope Palmer, Edward Wiler, George S. James, John J. Hoopes, Washington L. Bladen, Wardale G. M'Allister, J. Dunton George, Henry E. Wallace, William M'Connell, T. Tyson Butcher, George C. Barber, William H. Sickles, Joseph Mannel, Junior, George Connell, William Boshyshell, and they and their successors, are hereby made and created a body politic and corporate in law under the name, style and title of "The Mount Moriah cemetery association of Philadelphia," and by that name shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue and be sued, implead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.

SECTION 2. That the said corporators shall at least once in every year hereafter fill by election by ballot all vacancies which may occur among them, and may at the same time or at other times increase and add to their numbers from those who may be lot-holders in the cemetery, so that the said association shall never consist of less than twenty nor exceed one hundred members ; and they shall have full power to ordain, establish and put in execution all such by-laws, rules and regulations not contrary to the constitution and laws of the United States, or of the commonwealth of Pennsylvania, which may be necessary for the proper government of this corporation, its officers and affairs.

SECTION 3. That the said corporators shall at least once in every year elect from their number nine managers, one of whom shall be designated as president, and a secretary and treasurer, who shall make a report of their proceedings and a statement of their finances at the annual meetings of the corporators, and as much oftener as a majority of said corporators may require.

SECTION 4. That the said corporators shall have power to purchase from the owner thereof a certain tract of land, situate in the Twenty-fourth ward of said city of Philadelphia, formerly Kingssessing township, bounded on the north-west by Cobb's

creek, on the south-west by land of W. C. Conrad and Hamilton Farrell, on the north-east partly by ground of John F. Ohl and partly by ground of William B. Johns, and on the south-east by an avenue laid out and intended to be opened parallel to the Darby plank road, at the distance of about eleven hundred feet north-westwardly therefrom, containing not more than sixty acres, and the same to lay out and ornament, and to divide and arrange into suitable plats and burial lots, and erect and build walls, vaults and buildings, and to do all other things proper and necessary to be done to adapt the said ground for the purposes of a cemetery, and to sell and dispose of such lots in fee simple or otherwise, for the purpose of sepulture, to individuals, societies or congregations, without distinction or regard as to sect, under such conditions, rules and regulations as the said corporators or managers may establish for the government of lot-holders, visitors to the cemetery and burial of the dead.

Agents, &c.

SECTION 5. That the said managers shall have power to appoint all other officers, agents and workmen which may be needful, and fix their compensation or wages, and the same to discharge at pleasure; to take from the treasurer security for the faithful performance of his trusts, and to discharge him from his office upon occasion therefor, and they, the said managers, shall keep fair minutes of all their acts and doings.

May hold personal property.

SECTION 6. That the said association shall be capable of holding personal property necessary for the purposes of this incorporation, and it shall be the duty of the managers, out of the proceeds of the sale of burial lots and other sources, to create a fund, to be invested in ground rents or mortgages, the income whereof shall be of adequate amount, and applied as may be necessary for the improvement and perpetual maintenance of the cemetery in proper order and security.

Streets through cemetery.

SECTION 7. That no public street, road or passage shall ever be opened through the said cemetery, without the consent of the said corporation under their common seal, or unless authorized by an act of the legislature.

Penalty for injuries to tombs, &c.

SECTION 8. That if any person shall open any tomb, vault or grave in the lands of the said association, and clandestinely remove or attempt to remove any body or remains therefrom, such person, upon conviction thereof, shall be sentenced to undergo an imprisonment in the prison of the county of Philadelphia at hard labor, for a term not less than one, nor more than four years, and pay a fine not less than five hundred dollars, at the discretion of the court of quarter sessions for the county of Philadelphia; and any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, vault, grave-stone, monument, fence, railing or other structure placed in said cemetery for protection or ornament, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within said cemetery, or shall shoot or discharge any gun or other fire arms within said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any alderman of the city of Philadelphia, be punished by a fine at the discretion of the alderman, of not less than five dollars, nor more than fifty dollars, or shall, on conviction thereof in the quarter sessions aforesaid, be punished by fine as aforesaid, and by imprisonment, at the discretion of the

court, for a term of not less than six months, nor more than four years.

SECTION 9. That every lot in said cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the managers thereof, and shall not be liable to attachment or execution; and said burial lots, when sold by the company, shall hereafter be forever exempted from taxation: *Provided*, That the said exemption from taxation shall not exempt from state taxes, and that the said exemption from attachment and execution shall not extend to more than four lots held or owned by any one person in the same right.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

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No. 733.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Commercial Fire Insurance Company of Pennsylvania," approved the twenty-third day of February, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William C. Houston, Charles P. Relf, John Swift, James P. Perot, Andrew Garret, John Reid, Clifford Smith, Charles Williams, Sansom Perot, William Caldeleugh, Daniel B. Poultny, Joseph B. Meyers, John Pennington, Jacob Reed, William Savery, William L. C. Pennington, are hereby appointed commissioners in lieu of the commissioners named in said act, and they are hereby authorized to receive subscriptions to the capital stock of the company incorporated by the act to which this is a supplement; and when they or any five of them shall have received the subscriptions and instalments provided for by the second section of said act, they shall give public notice, as is provided for in said act; and it shall be lawful for the subscribers to said stock, at the time and place designated, to meet and elect the number of directors designated in said act; and the said company, when they receive the letters patent, shall have full power, and are hereby authorized to make all and every description of insurance appertaining to, or connected with marine or inland transportation, risks on specie or bullion, commis-

Commissioners.

Their duties.

Election of directors

Powers of company.



Proviso.

sion or profits, bottomry and respondentia interests, and on every other description of property, and cause themselves to be re-insured on any risk they have made, or shall make, at their option: *Provided*, That this corporation shall not issue scrip in payment of dividends, or any paper, bill or notes to be circulated as bank notes, nor exercise any banking privileges whatsoever.

Repeal.

SECTION 2. That any provisions contained in the act to which this is a supplement, and which conflict with the provisions of this act, be and the same are hereby repealed.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

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No. 734.

## A SUPPLEMENT

To an act, entitled “An Act to incorporate the Philadelphia and New Hope Railroad Company.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act to incorporate the Philadelphia and New Hope railroad company, to which this is a supplement, approved the seventeenth day of June, one thousand eight hundred and thirty-nine, is hereby revived; and the time of commencing the same is extended to three years from the passage of this act, with like powers and restrictions as contained in the original act.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 735.

## AN ACT

To re-charter the North America Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the North America coal company shall be and the same is hereby extended and continued in force for the term of twenty years from the eighth day of April, Anno Domini one thousand eight hundred and fifty-eight: *Provided,* That the company shall not in any manner be engaged in mining coal, except so far as may be necessary in opening and proving veins of coal on said land, and placing them in a condition to be favorably leased.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HESTER,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 736.

## AN ACT

To incorporate the Elm Mutual Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Aaron S. Lippincott, Bettie Paul, John O. James, Charles Miller, Francis D. Way, Charles Emory, John Sill, Thomas R. Bitting, Paul Thurlow, J. T. Way, Robert Lindsay, John H. Frick, Amos Philips, John Robbins, junior, James Lynd, Mayer Arnold, William J. A. Birkey, William Deal, James M. Linnard, Peter Seiger, Edward Wartman, Samuel Rain, Curwin Stoddart, Edward T. Mott, Charles M. Jackson, A. C. Bourneville, George Emerick, William M. Evans, Thomas Goodwin, Jacob Sheetz, George Beaumont, Frederick Kryder, Daniel M. Fox, John Kessler, and those who may hereafter become associated with them, their successors and assigns, be and they are hereby created into a body

Corporators

Name.	politic and corporate in deed and in law, and shall be known and styled as the Elm mutual insurance company of Philadelphia, and by the same name have perpetual succession, and shall be
Privileges.	able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or the laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof.
Capital stock.	SECTION 2. That the capital stock of the said company shall consist of fifty thousand shares of ten dollars each, to be paid for in five instalments; the first instalment of two dollars a share when the subscription is made, and the others as the board of directors may determine; and if any subscriber or stockholder, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment called for and demanded by the directors as aforesaid, such subscriber or stockholder, his or her assignee or transferee, shall forfeit to the use of the company each and every share on which the payment shall not be duly made on account of the share or shares so forfeited, and new subscriptions may be received for the share or shares so forfeited, at the discretion of the board.
Directors and their election.	SECTION 3. That the affairs of said company shall be managed by fifteen directors, to be chosen annually on the third Tuesday in January, between the hours of ten, A. M., and two, P. M., from among such stockholders of said company who shall hold at least twenty shares of stock, and in the event of a failure to elect on the day herein appointed, the election shall be held as soon thereafter as the by-laws and regulations of the company may direct; the directors for the time being shall appoint a president, vice president, secretary and assistant secretary, and such other officers, agents and agencies in this state and elsewhere as they may deem necessary for conducting and executing the business of said corporation, and shall take bonds in the name of the corporation from all or any of them, with security, conditioned for the faithful execution of their several duties, and shall perform the duties of their respective offices until they shall have been re-elected, removed from office, or their successors shall have been chosen; the said directors shall allow the persons so appointed such compensation for their services respectively as they shall deem reasonable, and generally exercise all other powers and authority for the well governing and ordering of the affairs of and funds of said corporation as this act confers; and in case of death or resignation of any director, the vacancy occasioned thereby shall be filled by the remaining directors until the next annual election.
President, &c.	
Vacancies.	
Votes.	SECTION 4. That at all elections for directors the vote shall be by ballot; each share of stock shall entitle the holder thereof to one vote, and each insured member, for any sum paid as a premium of insurance to said company three months previous to

and within one year preceding said election amounting to ten dollars, one vote, but no number of shares exceeding one hundred, nor any sum paid for premium as aforesaid exceeding one thousand dollars, shall give any right to additional votes; no stockholder or insurer shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name on the books of the said corporation for three months previous to said election: *Provided*, That every stockholder at the time of the first election of directors shall have and enjoy the privilege of voting as aforesaid, and the first election of directors shall be held at such time and place as the corporators may direct after the passage of this act; and the directors chosen at said election shall hold their offices until the first annual election thereafter, as herein provided for and until new directors shall be chosen.

SECTION 5. That at the first meeting of the directors after the first annual election the secretary shall divide the names of the directors by lot into three classes; the term of the first class shall expire at the first annual election thereafter, the term of the second class shall expire at the second annual election thereafter, the term of the third class shall expire at the third annual election thereafter; and at the second annual election and at every annual election thereafter, the stockholders and others qualified to vote for directors by this act, shall elect one-third of the directors to hold office for three years and until others shall be chosen; and when a vacancy by death, resignation or otherwise shall occur, such vacancy shall be filled at the next annual election of directors for the unexpired term of such director or directors; and the directors shall have power to increase their number to any number not exceeding twenty-four whenever they should deem it expedient.

SECTION 6. That the said company shall be located in the county of Philadelphia, and shall be empowered to take risks against fire on all kinds of merchandize and buildings, and also to effect marine and inland insurance on vessels, boats, cargoes and freights, and on merchandize and all other property transported on rivers, canals, lakes and railroads, and by steamboats wagons or otherwise, and also to grant annuities and make insurances on lives of whatever sort or nature; and it may and shall be lawful for any and every person to insure with the said company, and to become members of the said corporation, and be entitled to a *pro rata* share of any profits which may be made by such insurance, to be declared and divided as hereinafter directed by the provisions of this act.

SECTION 7. That it shall and may be lawful for the said company to employ and invest their capital stock, and all other moneys of said company, either in trust or otherwise, in bonds and mortgages, or real estate, in *respondentia*, bottomry, ground rents, stocks or loans of the United States and state of Pennsylvania: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property, stocks or other securities in payment of debts due them, or to secure the same in any manner that the interests of the said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said

Proviso.

Directors to be classified.

Vacancies.

Location and powers of company.

Investment of capital.

Proviso.

corporation in the transaction of the business thereof, and to mortgage, sell, assign and convey the same in fee simple or otherwise.

Banking prohibited. SECTION 8. That this company shall not exercise any discounting or other banking privileges, or issue any certificates or other paper, to be circulated as bank paper.

Annual balance to be struck. SECTION 9. That the directors shall, on the first Tuesday in January in each and every year, cause a balance to be struck of the debts and credits of the company, and if there shall be a surplus after paying losses and expenses for the year preceding the same, they shall first set aside out of the said surplus a sum not exceeding one dollar per share on the amount of capital stock subscribed, and the remainder of the said surplus shall be divided among the stockholders and insured members in the proportion to their respective amounts of stock held, or premiums determined, may bear to the collective sum of stock and premiums aforesaid.

Dividends. SECTION 10. That within thirty days after the annual balance aforesaid of the said company shall be ascertained, the directors shall cause to be paid to the stockholders in cash a sum not exceeding one dollar per share on the stock subscribed, if their surplus amounts to so much, and for the remainder they shall issue the company's certificate to such insured members and stockholders, agreeably to the provisions of the last preceding section, stating the amount of such surplus which shall be ascertained to be due them on striking said balance; such certificate shall be entitled to a dividend not exceeding six per centum, to be paid out of the profits thereafter declared by the company: *Provided*, That said surplus shall never exceed fifty per centum of the capital stock paid in.

Payment of dividends. SECTION 11. That the profits of said company shall in no case be withdrawn, except as hereinbefore provided, but shall remain liable to all losses and expenses thereof, and such liability shall be expressed on the face of said certificates, and the president and directors shall have, in case of loss, the power to declare a *pro rata* deduction of the amount of the outstanding certificates, and to call in the original certificates, and issue new ones in their stead, less the *pro rata* reduction, and no dividend shall be declared, nor certificate issued, nor interest paid, either to stockholders or certificate holders, when the capital stock shall be impaired; nor shall any dividend be paid on certificates of surplus profits until the said dividend on the stock of the company be first provided for.

Profits not to be withdrawn. SECTION 12. That no certificate shall issue for any sum less than ten dollars, nor for any fractional part of ten dollars, but all such fractional parts, or sum or sums less than ten dollars, shall be passed to the credit of the stockholders of the company, and the said certificates shall not be transferable, except on the books of the company, and a transfer book shall be kept for that purpose; no certificate shall issue to any person who is indebted to said company, and no transfer shall be permitted so long as the holder is indebted to said company; certificates shall be subject to, and bound by any judgment the company may obtain against the holder thereof, and the interest of such holder may be sold under an execution issued on said judgment as any other

Certificates.



species of personal chattel; no certificate shall issue unless claimed within two years after the declaration of the dividend whereof it is evidence, but the amount thereof shall, at the expiration of that time, be carried to the credit of the stockholders of the said company.

SECTION 13. That every stockholder, insured member or certificate holder, having paid the amount of his, her or their respective premiums, or premium stock or subscription notes, or other debts due said company, shall be free from any liability or responsibility for or on account of any and all losses and expenses which said corporation may at any time sustain or incur. Liability of stockholders.

SECTION 14. That the said company may, from time to time, receive notes or other securities, real or personal, as premiums, from persons intending to effect insurance therewith, and also for the payment of stock subscribed, and from any other person or persons, under such regulations or agreements as shall be authorized by the directors; which said notes or other securities may be negotiated, transferred or conveyed by the said company, for the purpose of paying claims for losses accruing in the course of its business, and on such portion of said notes or securities as may exceed the amount of premiums paid, or agreed to be paid by the parties from whom the same may have been received; the said company may allow and pay such interest or other compensation not exceeding six per centum per annum, as may be agreed upon by the directors. Company may receive certain securities.

SECTION 15. That perpetual or permanent, or limited insurances may be taken without the parties thereto becoming members, or being entitled to any part of the profits of said company. Policies.

SECTION 16. That suits at law may be maintained by said corporation against any of its members, for any cause relating to the business of the corporation; also suits at law may be prosecuted and maintained by any member, against said corporation, for losses or damages insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses. Suits by and against company.

SECTION 17. That when the net profits, or surplus remaining in the possession of the company, shall exceed the sum hereinbefore limited, the excess may be applied to the redemption of the certificates issued by the company, in such manner, and at such times as the directors thereof may deem proper and expedient; and all claim or right to any interest or dividend on said certificates shall cease after two weeks' notice, published in two of the daily papers of the city of Philadelphia, that the company will redeem the same. Redemption of certificates.

SECTION 18. That if any director, officer, agent, or other person connected with or doing business for or with said company, shall fraudulently embezzle or appropriate to his or their own use, or the use of any other person or persons, any money or other property belonging to said company, or left with it or them as a special deposit or otherwise, he or they, upon conviction thereof in the court of quarter sessions, shall be fined in a sum not less than five hundred dollars, and be sentenced to, and undergo an imprisonment in the penitentiary or county prison, for any time not exceeding two years, at the discretion of the court: *Provided*, That this conviction shall not prevent any person ag- Punishment for embezzlement.

grieved, from pursuing his or their civil remedy against such person or persons.

Reservation.

SECTION 19. The legislature hereby reserves the right to alter, amend or revoke the above charter, whenever, in their opinion, it may be injurious to the citizens of this commonwealth.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 737.

## A SUPPLEMENT

To an act, entitled “An Act to incorporate the Penn’s Manor Meadow Company, in the county of Bucks.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled “An Act to incorporate the Penn’s Manor meadow company, in the county of Bucks,” approved the fourth day of March, one thousand eight hundred and fifteen, be and the same is hereby revived and extended to the period of twenty years from and after the passage of this act, with like powers and privileges as are contained in the original act.

SECTION 2. That in addition to the corporators named in the aforesaid act, John Robbins, Barclay Ivens, Robert Crozer, Thos. Crozer, Barclay Ivens, junior, William Harper, George Opdike, John Green, Gilbert Green, Pheneas Jenkins, Moses Comfort, William Leland and Margaret Thompson, and their successors, are hereby declared to be a part of said incorporated company, to enjoy all and singular the rights and privileges in the same manner as though their names were contained in the act to which this is a supplement.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 738.

## SUPPLEMENT

To an act, entitled "An Act to incorporate the Allegheny and Bald Eagle Railroad, Coal and Iron Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing the construction of the railroad authorized by the act of June twelfth, eighteen hundred and thirty-nine, and the supplements thereto, entitled "An Act to incorporate the Allegheny and Bald Eagle railroad, coal and iron company," be and the same is hereby extended for six years from the passage of this act, and the time for completing the same to ten years from the passage of this act.

Time for commencing extended.

SECTION 2. In lieu of the corporators named in the bill to which this is a supplement, some of whom are deceased, and none of whom have ever acted under the provisions of the same, Garrick Mallory, William D. Lewis, Charles T. Lex, of the city of Philadelphia; James Irvin, John T. Hoover, A. S. Valentine, William A. Thomas, John Irwin, James T. Hale, Roland Curtin, Samuel Linn, H. N. M'Allister and E. C. Humes, of Centre county, are hereby made corporators, who with their associates, successors and assigns, shall have all the powers, privileges and immunities granted to the corporators in the act to which this is a supplement.

New corporators.

SECTION 3. The said company shall have the right to construct their railroad so as to connect with the Bald Eagle and Spring Creek canal at or near the town of Bellefonte; and the said company are hereby authorized to borrow one hundred thousand dollars in such sums as they may deem expedient for the purpose of constructing said railroad, and to issue their mortgage bonds for the same, mortgaging the said railroad with all its appurtenances, together with all the property of the said company, both real and personal, for the re-payment of the same; and the said company is hereby invested with full power to execute a mortgage upon all their property aforesaid, including their corporate privileges to secure the repayment of said loan, upon such terms and at such rates of interest not exceeding seven per centum per annum as the said company shall think expedient.

Route of road.

Borrow money and mortgage road.

SECTION 4. That the tenth section of the act to which this is a supplement, and the second section of the act of the eleventh day of April, eighteen hundred and forty-eight, entitled "An Act vesting title to land in the school directors of Bushkill township, in the county of Northampton; extending the time of commencing and completing the Allegheny and Bald Eagle railroad, and relative to the Delaware and Hudson canal company," and the supplement to said act passed the fifteenth day of May, eighteen hundred and fifty-four; and all provisions of the said

Repeal.

May hold land.

act inconsistent with the provisions of this act, or which are altered or supplied thereby, are hereby repealed; the said company shall be allowed to hold any quantity of land in the township of Snow Shoe, Centre county, not exceeding four thousand acres.

HENRY R. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HESTER,  
*Speaker of the Senate.*

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 739.

## AN ACT

To incorporate the Indiana Gas Company.

Corporators.

Style.

Privileges.

Supplying gas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas White, John H. Shryock, John Sutton, Alexander M'Connell, T. J. Coffey, John Myres, William M. Stewart, Wilson A. Taylor, William Banks, William Moorehead, Henry Kinter, and their associates or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate by the name and style of the Indiana gas company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts of law or equity within this commonwealth and elsewhere, and also of contracting and being contracted with relative to the business and objects of the corporation as hereinafter declared, and they and their successors as aforesaid shall have power to lease or purchase in fee simple such real estate as may be necessary for carrying on the business of said corporation.

SECTION 2. That the corporation hereby created is so created for the purpose, and for such purpose shall have authority of supplying with gas light the borough of Indiana, in the county of Indiana, and such individuals residing therein and immediate vicinity as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any of the public streets,



lanes, alleys and sidewalks in the borough of Indiana and vicinity, for the purpose of laying pipes for the distribution of gas, as the company may deem necessary; and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them for the same purpose, doing as little damage as possible to private property, and paying for whatever injury may be done by them; and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men, on oath, to be appointed by the court of common pleas of Indiana county, on the application of either party; and the said company shall have the like privileges as to relaying or taking up or repairing the said pipes as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches, and restore the said streets, lanes, alleys and sidewalks, and the private property as aforesaid, as near as may be to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.

SECTION 3. That the capital stock of said company shall be Capital fifty thousand dollars, to be divided into ten hundred shares of fifty dollars each, with the right to increase the said capital stock from time to time as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed seventy-five thousand dollars.

SECTION 4. That the managers of this company are hereby au- Borrow money. thorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity, not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works; and to secure the payment of the same, shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan made under this section. out of the receipts for gas, before any dividends shall be paid to the stockholders: *Provided*, That no bond, certificate or other evidence of indebtedness shall be issued by said company for a less sum than one hundred dollars.

SECTION 5. That the management and control of the Indiana Directors, gas company shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually on the first Monday in May, at such place as they shall determine Elections. upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their numbers as aforesaid a president, secretary and treasurer for said company; the notice of such elections for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the number of votes that each stockholder Votes. shall be entitled to at such election shall be according to the



number of shares owned by such stockholder, to wit: For each share not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares, one vote; for every five shares above ten shares, one vote; and no share shall confer a right of voting which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide in his or her own right or in the right of his wife, or for his or her sole use and benefit as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society of which he or she may be a member.

Certificates of  
stock.

SECTION 6. That the said company shall procure certificates, or evidences of stock, for all the shares of said company, and shall deliver one such certificate, signed by the president, and countersigned by the secretary, and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned; which certificates of stock shall be transferable at his or her pleasure, in person or by attorney duly authorized in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Meeting of direc-  
tors.

SECTION 7. That the board of directors of said company shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions fairly entered in a book; and a quorum being formed, they shall have full power and authority to purchase lands for the gas works, and erect the same; to appoint all officers, and employ such assistants as shall be necessary to carry out the objects of this corporation; to direct what orders shall be drawn upon the treasurer, which shall be signed by the president, and countersigned by the secretary; to fix all salaries and rates for the use of the gas; to enact by-laws for the proper regulation and government of said corporation; and generally to do all such matters, acts and things as by this act, and the by-laws of such corporation, they are authorized to do.

Dividends.

SECTION 8. That the board of directors of said company shall declare dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Mondays of June and December of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Penalties.

SECTION 9. That if any person or persons shall open a communication into the gas main or other gas pipe of said company, without authority from the street inspector, or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company for repairs, or any other cause or purpose, or shall put up any pipes or burners, in addition to the pipes originally put up and inspected, and introduce into them gas, without authority aforesaid, he, she or they shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recoverable before any justice of the peace, as debts of like amount are by law recoverable, one-half to be paid to the informer, and the other half to said company.

SECTION 10. That if any person shall wilfully or maliciously *Injuries to works* do, or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed, the person or persons so offending, shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages by civil suit.

SECTION 11. That the price of gas furnished by said company *Price of gas.* shall be so regulated, as that the dividends upon the capital stock of said company shall never exceed ten per centum per annum.

SECTION 12. That the legislature may, at any time, alter, *Reservation.* amend or repeal the privileges hereby granted: *Provided however*, That no injustice be done to the corporators.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

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No. 740.

## A SUPPLEMENT

To an act, entitled “An Act authorizing the Governor to incorporate the Williams Valley Railroad and Mining Company, in Dauphin and Schuylkill counties.”

WHEREAS, The title to a large portion of the lands heretofore purchased and held by said company has failed. *Preamble.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That said company may purchase and hold other lands in the counties of Dauphin and Schuylkill to any amount not exceeding the amount to which said company is limited by the act to which this is a supplement, and may erect improvements for mining purposes thereon, open mines and lease the same, but all right to mine and sell coal, conferred by the act to which this is a supplement, is hereby repealed.

Name changed. SECTION 2. That the corporate name of said company shall hereafter be the Schuylkill and Dauphin improvement and railroad company, and that the charter of the same be and it is hereby extended for a period of twenty years from and after the expiration of its present charter.

Re-charter.

HENRY K. STRONG,  
*Speaker of the House of Representatives.*

WM. M. HIESTER,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

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No. 741.

## AN ACT

To incorporate the Moshannon Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James E. Montgomery, John D. Morris, John Fullerton, James M. Sellers, James Irvin, David L. Pruner, Z. Rittenhouse, Charles Beidleman, C. C. Spottswood and E. B. Orbison, their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Moshannon coal and iron company, and as such shall have power to take and hold land not exceeding one thousand acres, in fee simple, in the counties of Centre and Blair, and to prove and open the veins of coal and other minerals on or in their lands, and to prepare the same for being worked and leased, with power to work and lease the said lands, or any portion thereof.

SECTION 2. That the capital stock of said company shall not exceed twenty thousand shares, at fifty dollars each; and the said company is hereby declared and made capable in law to sue and be sued, impleaded and be impleaded, to have a common seal, to hold and convey such real and personal property as may be necessary to promote the object of their incorporation, and to sell and dispose of the products of their lands; also to construct such lateral or branch railroads as may be necessary to connect any of their lands with the Pennsylvania railroad, or other public improvement.

SECTION 3. That the affairs of said company shall be managed by a board of not less than five, nor more than fifteen directors, to be elected by the stockholders, each share of stock entitling the holder to one vote; the directors elected by the said corpora-

tors, or their assigns, shall serve until the first Tuesday of January, one thousand eight hundred and fifty-six, and a new board shall be elected annually thereafter, to hold their office for one year, or until their successors are elected: *Provided*, That said company shall pay a bonus of one-half of one per centum on their capital stock, in four equal annual instalments, the first of which shall be paid in one year from the date hereof.

Annual elections

Tax.

HENRY K. STRONG,

*Speaker of the House of Representatives.*

WM. M. HIESTER,

*Speaker of the Senate.*

APPROVED—The third day of November, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

## APPENDIX—1856.

No. 742.

## AN ACT

Relating to the Estate and Name of William and Cornelius Vansant.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Cornelius Vansant and the heirs or devisees of William Vansant shall be as capable of making a valid conveyance of the real estate, situate in Lower Makefield township, Bucks county, by their reputed father, Cornelius Vansant, formerly of said township, deceased, unto them by his deed conveyed under the names of William and Cornelius Tomlinson, (the name of their mother,) as fully as if conveyed to them by the name of Vansant, which they had acquired by common repute, and which the said William was known by during all his life, and the said Cornelius has hitherto been known by among all their friends, neighbors and acquaintances, and which it shall be lawful for him henceforth to retain and use.*

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 743.

## AN ACT

To incorporate the Lewisburg Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



William Cameron, Peter Beaver, William Frick, John Walls, George F. Miller, Byers Ammon, Eli Slifer, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Lewisburg gas company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts of law or equity within this Commonwealth and elsewhere, and also of contracting and being contracted with, relative to the business and objects of the corporation, as hereinafter declared, and they and their successors as aforesaid shall have power to lease or purchase in fee simple such real estate as may be necessary for carrying on the business of said corporation.

SECTION 2. That the corporation hereby created is so created for the purpose, and for such purpose shall have authority, of supplying with gas light the borough of Lewisburg, in the county of Union, and such individuals residing therein, and immediate vicinity, as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any of the public streets, lanes, alleys and side-walks in the borough of Lewisburg and vicinity, for the purpose of laying pipes for the distribution of gas, as the company may deem necessary, and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them for the same purpose, and also to take and convey the water that may be necessary to the manufactory and retention of gas, from any stream or other water course that may be most convenient to the said gas works, doing as little damage as possible to private property, and paying for whatever injury may be done by them; and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men on oath, to be appointed by the court of common pleas of Union county, on the application of either party; and the said company shall have the like privileges as to re-laying or taking up, or repairing the said pipes, as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches, and restore the said streets, lanes, alleys and side-walks, and the private property as aforesaid, as near as may be, to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.

SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into ten hundred shares, of fifty dollars each, with the right to increase said capital stock from time to time as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed seventy-five thousand dollars.

SECTION 4. That the managers of this company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity, not exceeding ten thousand dollars, for the purpose of

Mortgage property.

aiding them in the construction of their works, and to secure the payment of the same, shall make and execute a mortgage or mortgages, pledge or pledges, of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon, and the said managers shall provide for the payment of the interest upon any loan made under this section out of the receipts for gas, before any dividends shall be paid to the stockholders.

Officers.

SECTION 5. That the management and control of the Lewisburg gas company shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time, and at such places within said borough as a majority of them may deem necessary for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually on the first Monday in May, at such place as they shall determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their number as aforesaid a president, secretary and treasurer for said company, the notice of such elections for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the number of votes that each stockholder shall be entitled to at such election shall be according to the number of shares owned by such stockholder, to wit:

Elections.

for each share, not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares, one vote; for every five shares above ten share, one vote; and no share shall confer a right of voting, which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears absolutely and *bona fide* in his or her own right, or in the right of his wife, or for his or her sole use and benefit as an executor, administrator, trustee or guardian, or in the right and for the use of some copartnership, corporation or society, of which he or she may be a member.

Votes.

Certificates of stock.

SECTION 6. That said company shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferable at his or her pleasure, in person, or by attorney duly authorized, in the presence of the president or secretary in a book to be kept by the corporation for that purpose.

Transfers.

Meetings of directors.

SECTION 7. That the board of directors of said company shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to purchase lands for the gas works and erect the same, to appoint all officers and employ such assistants as shall be neces-

sary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary, to fix all salaries and rates for the use of the gas, to enact by-laws for the proper regulation and government of said corporation, and generally to do such matters, acts and things as by this act and the by-laws of such corporation they are authorized to do.

SECTION 8. That the board of directors of said company shall declare dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Mondays of June and December of each year, which shall be paid to the stockholders on demand ten days after the same shall have been declared. Dividends.

SECTION 9. That if any person or persons shall open a communication into the gas main or other gas pipe of said company without authority from the street inspector or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes originally put up and inspected, and introduce into them the gas without authority aforesaid, he, she or they shall be subject to a penalty of not less than five nor more than fifty dollars, to be recoverable before any justice of the peace as debts of like amount are by law recoverable, one-half to be paid to the informer, and the other half to said company. Penalty for illegally using gas.

SECTION 10. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit. Penalty for injuries to works.

SECTION 11. That the legislature may at any time alter, amend or amend the privileges hereby granted: *Provided however*, That no injustice be done to the corporators. Reservation.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 744.

## A SUPPLEMENT

To an act incorporating the Coudersport, Portage and Allegheny River Railroad Company, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Coudersport, Portage and Allegheny River railroad company be and it is hereby authorized, if it should be deemed expedient, to construct or build a lateral railroad from the mouth of Potato creek, on the line of said road, to the Bunker Hill and Lafayette coal mines, in the county of M'Kean.*

SECTION 2. That the time for commencing the railroad authorized by the act to which this is a supplement, be and the same is hereby extended for the further term of three years.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 745.

## A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate the West Chester and Philadelphia Railroad Company, approved the eleventh day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the completion of the West Chester and Philadelphia railroad be and is hereby extended two years from the passage of this act.*

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.



No. 746.

## AN ACT

To incorporate the Williamsport Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William F. Packer, A. B. Cummings, James Armstrong, William R. Vanderbelt, William H. Armstrong, John B. Coryall, Robert Faries, Randolph Evans, T. Coryall, Hepburn M'Clure, John Gibson, John K. Hays, and their associates and successors, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Williamsport gas company, and by said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said corporation, as hereinafter declared, and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease or purchase in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute obligations for the liabilities created in the transactions of said business of the corporation, and for none other.

SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Williamsport and its vicinity, in the county of Lycoming, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect within said borough the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible.

SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time not to exceed seventy-five thousand dollars, as the directors thereof shall deem necessary, for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable at pleasure by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.



## Management.

SECTION 4. That the management and control of said corporation shall be vested in the persons named in the first section of the act, until the first Monday in January, Anno Domini one thousand eight hundred and fifty-seven, at which time the stockholders shall meet at such place as the board may designate, and elect from their number seven managers, to serve one year, and until their successors shall be duly elected, which shall be annually on the first Monday in January thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said elections shall be prescribed in the by-laws of said corporation, and at all elections the stockholders shall be entitled to one vote for each share *bona fide* held by him, her or them, either as trustees, executors or administrators, at the time of holding said election.

## Elections.

## Votes.

## By-laws.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws not inconsistent with the laws of this commonwealth, and shall keep minutes of all their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things for the proper regulation and government of the corporation as they may deem necessary. They shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Mondays in January and July of each year, which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.

## Dividends.

## Illegal use of gas

SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of said company without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having the same inspected and approved by the proper officer of the corporation, at proper times and under proper circumstances, to inspect the pipes, metres, burners, et cetera, put up in any building, he, she or they so offending shall be subject to a penalty of not less than five nor more than fifty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recoverable, one half to be paid to the informer and the other half to the borough of Williamsport for the use of said borough.

## Injuries to works

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction, works, gas pipes, gas posts, burner or any other matter or thing appertaining to the same, shall be obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be thereof indicted in the court of quarter sessions of the county of Lycoming, and on conviction shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, in the discretion of the court: *Provided*, That said criminal prosecution shall not in any way impair the right of said company to a full compensation in damages in a civil suit or action.

SECTION 8. That said company shall without unnecessary delay refit, repair and restore to good and safe condition, all openings made in any of the streets, lanes and highways of the said borough, occasioned by the laying, refitting or examining their pipes, or for any other purpose, at the expense of said company, and to the satisfaction of the town council of said borough; and on failure to do so shall forfeit and pay to and for the use of the borough, with full costs, such a sum of money as may be necessarily expended by the town council in refitting and restoring the same; and the said company shall furnish all gas required or used for lighting up any or all of the streets, alleys or squares of said borough, at a deduction of five per centum from the rates charged to property holders and others by said company.

SECTION 9. That it shall not be lawful for said company to stop off the gas from any consumer, except for the purpose of repairs or unavoidable accident, who is willing to pay, and who tenders the amount due to the company by said consumer for gas already consumed according to the established rates, under the penalty of five dollars, to be recovered for the use of the person injured, as debts of like amount are by law recoverable; and the privileges granted by this act shall be exclusive, upon condition that the said company shall continue without unnecessary or unreasonable interruption to supply said borough and the inhabitants thereof with good and sufficient light (except in case of accidents) from the gas manufactured by said company at the rates hereinbefore mentioned: *Provided nevertheless*, That said company shall not be required to lay down pipes for conveying gas to any portion of said borough or its vicinity, unless in the opinion of the managers such portion contains a sufficient number of consumers to warrant the expense.

SECTION 10. That the managers of this company are hereby authorized to borrow (if necessary) any sum or sums of money not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to serve the payment of the same, may execute a mortgage or judgment upon their works and real estate, signed by their president and attested by their secretary, in favor of the person or persons who may have loaned the same; and the said managers shall provide for the payment of the interest, not to exceed eight per cent. per annum, upon any loan made under this section, out of the receipts of said company before any dividends shall be paid to the stockholders.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PLATT,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 747.

## AN ACT

To incorporate the Tuscarora Water Company, at Tuscarora, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Alexander Silliman, Henry F. Haas, Henry Kepner, George Regan, Cornelius Stevenson, Jacob Alter, Edward Owen Parry, John C. Bullett and John S. Struthers, or any four of them, are hereby appointed commissioners to do and perform the several matters and things hereinafter mentioned, that is to say they shall, on or before the first day of July next, procure a book and enter therein as follows: We, the subscribers, promise to pay to the Tuscarora water company the sum of ten dollars for every share of stock set opposite to our respective names, in such manner and proportion and at such times as shall be determined by the said company, in pursuance of the act of general assembly, entitled "An Act to incorporate the Tuscarora water company."

Commissioners.

Duties.

Witness our hands this            day of            , in the year of our Lord one thousand eight hundred and            ; and shall thereupon give notice in one or more newspapers published in the county of Schuylkill, for the space of two weeks or more, when and where within the town of Tuscarora, in the said county of Schuylkill, the said book will be opened to receive the subscription of stock, at which time and place one or more of the said commissioners shall attend, and shall permit all persons of lawful age, either in their own names or in the names of others, when they shall appear to be duly authorized, to subscribe for any number of shares in the said stock not exceeding ten shares on the first day; and the said book shall be kept open for three successive days, unless one thousand shares shall have been sooner subscribed; and if within the said three days the said one thousand shares shall not be subscribed, then the said commissioners, or the officers of the company after the same shall have been organized, may at any time afterwards open the book for the subscription of shares until the whole number aforesaid shall be subscribed: *Provided*, That every person offering to subscribe in the said book, in his own name or in the name of any other person, shall previously pay to the attending commissioners or officers five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized and the officers chosen, as hereinafter mentioned.

Proviso.

Letters patent.

SECTION 2. That when four hundred or more shares of stock shall be subscribed, the commissioners shall certify under their hands and seals the names of the subscribers and the number of

shares subscribed by each, to the governor of this commonwealth; and thereupon it shall be lawful for the governor, under his hand and seal of the state, to create and erect the subscribers, and also those who shall afterwards subscribe, and their assigns, into one body politic and corporate, in deed and in law, by the name, style and title of the Tuscarora water company, by which name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding the capital stock and the increase and profits thereof, and of enlarging the same by new subscriptions, if it shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding, to them, their successors and assigns, and of selling and transferring in fee simple, or for any less estate, such lands, tenements, hereditaments and estate, real or personal, as shall be necessary in the prosecution of their works, and of suing and being sued, and of doing every matter and thing which a corporation or body politic may lawfully do.

SECTION 3. That any three or more of the said commissioners shall, as soon as conveniently may be after the letters patent are obtained, give at least ten days' notice in one or more of the newspapers printed in the county, of the time and place for the subscribers to meet and hold an election for officers of the company, who shall choose by ballot from among the stockholders six managers to conduct the affairs of the company until the second Monday in May then next ensuing; and in all elections each stockholder shall be entitled to one vote for each share bona fide held by him not exceeding five, and for every five shares above the first five and not exceeding twenty, one vote, and for every ten shares above the first twenty, one vote; and the said managers shall appoint one of their number president of their board, who shall sign all contracts and certificates of stock; and the said president and managers shall appoint one of the stockholders residing in the said county, and not being a member of the board, treasurer of the company, and shall also have power to appoint such other officers and agents as may be necessary; and the election for officers thereafter shall be held annually on the second Monday in May, at such place within the said town as may be appointed by the managers, of which at least ten days' notice shall be given in one or more newspapers printed in the said county; and when vacancies happen, the managers shall supply them from among the stockholders until the next annual election: *Provided*, That no misnomer or failure of election of officers on the day appointed shall discontinue or dissolve the said corporation, but the managers and officers shall continue in office until a new election, which shall be made at such time and place within the said town, and after such notice as the board of managers may prescribe.

SECTION 4. That the president and managers, or any five of them, shall have power to adopt such by-laws, rules and regulations as shall not contravene the constitution and laws of the United States or of this commonwealth, and may be necessary or expedient for the well governing the affairs of the company; and they shall also have power to call special meetings of the stockholders, whenever any circumstances occur which may render it necessary to consult them.



Certificates of  
stock.

SECTION 5. That the president and managers shall procure a common seal, and the certificates of stock and other official acts shall be authenticated by affixing the same; and the president and managers shall procure certificates for the shares of the stock of said company, and shall deliver a certificate signed by the president and countersigned by the treasurer, and sealed as aforesaid, unto each person for the share or shares held by him or her as soon as five dollars shall be paid on such shares; and every such certificate shall be transferable in person or by attorney duly authorized, in the presence of two creditable witnesses, subject, however, to all payments due and to become due thereon; and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for that purpose, shall be a member of the corporation, and possess and enjoy all the rights and privileges, benefits and emoluments to which he would have been entitled if he had been an original subscriber.

Meetings of  
managers.

SECTION 6. That the president and managers shall meet at such times and places as shall be directed by their by-laws, and when meet, four members shall be a quorum, and in the absence of the president a chairman may be chosen of the number met, and all their transactions, as well as every matter and thing relating to the affairs of the corporation, shall be entered in a book or books to be kept for such purpose, and a quorum being formed, they shall have full power to employ and contract with engineers, artists, and such workmen as they may deem necessary to carry on and complete their intended works, as well as to uphold, alter and repair the same, and also to fix the times and manner, and in what proportion, the stockholders shall pay the moneys due on their respective shares, and to draw on the treasurer for all the moneys that may be required by their by-laws, rules and regulations, and generally to do all such other matters and things as by this act or their by-laws, rules and regulations they shall be authorized to do.

Duties and pow-  
ers of company.

SECTION 7. That it shall be the duty of the president and managers, as soon as may be after they shall be organized, to proceed to bring and convey into the town of Tuscarora, by means of pipes, trunks, aqueducts, or other means, some spring or stream of water from the neighborhood of the said town, and also provide proper cisterns or reservoirs for the reception thereof; and for the purpose aforesaid they may enter into such land or enclosure as may be necessary, and to make dams, and to dig ditches, and lay pipes and trunks through the same, doing as little damage as possible to private property, and paying for whatever injury shall be done by them; when the parties cannot agree according to an assessment made under oath or affirmation by three disinterested persons, to be appointed on application by the court of common pleas in and for the county of Schuylkill; and the president and managers shall at all times (paying the damages as aforesaid) have liberty to renew and repair the said dams, pipes or trunks wherever laid, and shall also have liberty at all times to dig and lay pipes or trunks along roads or highways, and along the streets and alleys, and public grounds within the said town, and to renew and repair the same, shutting up and amending any breaches which they

Damages.



may make, as soon as possible: *Provided also*, That nothing contained therein shall authorize the said company to make use of, or conduct the waters of the river Schuylkill for the purpose aforesaid, without the consent of the Schuylkill navigation company.

SECTION 8. That the said president and managers shall suffer individuals at all times to be supplied with water from said pipes, for domestic or manufacturing use, or for steam engines, for such reasonable compensation as shall from time to time be agreed upon by the said managers, and such individuals, according to such uniform rates which the said president and managers shall hereafter adopt, having regard to the probable quantity of water which applicants are likely to consume, and to their distance from the place wherever the water is to be drawn; and any person or persons who shall take any of said water for domestic and manufacturing use, without having previously contracted for the same with the said president any managers, shall forfeit and pay for every such offence the sum of fifty dollars to the said president and managers, to be recovered before a justice of the peace, in the same manner as debts of equal amount are now recoverable: *Provided*, That nothing herein contained shall be construed to compel the inhabitants of the said town to use the water so introduced by the said company, or to prevent them from using water obtained in any other way.

Use of water.

SECTION 9. That the president and managers shall call in the capital stock of the said company by instalments, as the same may be requisite for the prosecution of the said work, and if any stockholder shall neglect to pay his instalment after thirty days' notice, published in one or more newspapers printed in the said county, then payment thereof may be enforced as in other cases; and whenever the debts of the said company shall have been paid, and the income shall exceed the expenses of the company, the president and managers shall declare a dividend on the stock paid in, half yearly, on the first Mondays of January and July in each year, and shall publish the said dividend, and the place where the same will be paid, and shall cause the same to be paid accordingly.

Payment of subscriptions.

SECTION 10. That any person or persons who shall wilfully destroy, or injure in any manner, the pipes, aqueducts, cisterns or reservoirs, hydrants, buildings or machinery, or any of them, or any of the works of the said company, erected in pursuance of this act, or shall wilfully corrupt or otherwise render unwholesome the spring or stream of water which shall be conveyed or brought into the town of Tuscarora by the said company, on being thereof convicted before any justice of the peace in and for the county of Schuylkill, by the oath or affirmation of one or more creditable witnesses, pay a fine of not less than five, nor more than twenty dollars, one-half to the use of the said town, and the other half to the informer, and shall moreover remain liable for all damages to the company.

Penalty for injuries to works.

SECTION 11. That if the said company shall not proceed to carry on the said works within three years after the passing of this act, or shall not within six years afterwards complete the same so far as to have conveyed the water within the limits of the town of Tuscarora, all and singular the rights, liberties and

Limitation.

franchises hereby granted to the said company, shall revert to this commonwealth.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 748.

## AN ACT

To incorporate the Milton Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* R. M. Frick, Samuel Hepburn, Isaiah R. Davis, J. H. M'Cormick, E. W. Chapin, J. F. Caslow, John Miller, John Roush, and their associates or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate by the name and style of the Milton gas company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts of law or equity within this commonwealth and elsewhere, and also of contracting and being contracted with relative to the business and objects of the corporation as hereinafter declared; and they and there successors as aforesaid shall have power to lease or purchase in fee simple such real estate as may be necessary for carrying on the business of said corporation.

SECTION 2. That the corporation hereby created is so created for the purpose, and for such purpose shall have authority of supplying with gas light the borough of Milton, in the county of Northumberland, and such individuals residing therein and immediate vicinity as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any of the public streets, lanes, alleys and side-walks in the borough of Milton and vicinity, for the purpose of laying pipes for the distribution of gas as the company may deem necessary, and may use such streams and water courses, and enter into such lands and en-

Corporators.

Style.

Privileges.

Objects and powers.

closures as may be necessary, and did trenches through and across them for the same purpose, doing as little damage as possible to private property, and paying for whatever injury may be done by them; and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men on oath, to be appointed by the court of common pleas of Northumberland county, on the application of either party, and the said company shall have the like privileges as to re-laying or taking up or repairing the said pipes as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches and restore the said streets, lanes, alleys and side-walks, and the private property as aforesaid, as near as may be to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.

Damages.

Proviso.

SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into ten hundred shares of fifty dollars each, with the right to increase said capital stock, from time to time, as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed seventy-five thousand dollars.

Capital stock.

SECTION 4. That the managers of this company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works; and to secure the payment of the same, shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan made under this section, out of the receipts for gas before any dividends shall be paid to the stockholders.

May borrow money and mortgage works.

SECTION 5. That the management and control of the gas company shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually on the first Monday in May, at such place as they shall determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their number as aforesaid a president, secretary and treasurer for said company; the notice of such elections for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the number of votes that each stockholder shall be entitled to at such election shall be according to the number of shares owned by such stockholder, to wit: for each share, not exceeding two shares, one vote; for every two shares above two, and not exceeding ten shares, one vote; for every five shares above ten shares, one vote; and no share shall confer a right of voting which shall not have been holden one

Officers and their elections.

Votes.

calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and *bona fide* in his or her own right, or in the right of his wife, or for his or her sole use and benefit as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society of which he or she may be a member.

Certificates of stock.

SECTION 6. That said company shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferable at his or her pleasure, in person or by attorney, duly authorized, in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Meetings of directors.

SECTION 7. That the board of directors of said company shall meet at such time and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to purchase lands for the gas works and erect the same, to appoint all officers and employ such assistants as shall be necessary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary, to fix all salaries and rates for the use of the gas, to enact by-laws for the proper regulation and government of said corporation, and generally to do such matters, acts and things as by this act and the by-laws of such corporation they are authorized to do.

Dividends.

SECTION 8. That the board of directors of said company shall declare dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Mondays of June and December of each year, which shall be paid to the stockholders on demand ten days after the same shall have been declared.

Penalty for illegally using gas.

SECTION 9. That if any person or persons shall open a communication into the gas main or other gas pipe of said company, without authority from the street inspector, or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector, or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes originally put up and inspected, and introduce into them the gas without authority aforesaid, he, she or they shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recoverable before any justice of the peace, as debts of like amount are by law recoverable, one-half to be paid to the informer, and the other half to said company.

Penalty for injuries to works.

SECTION 10. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining



to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by fine, not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit.

SECTION 11. That the legislature may at any time alter, amend Reservation. or repeal the privileges hereby granted: *Provided however*, That no injustice be done to the corporators.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 749.

## AN ACT

To incorporate the Western Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Reuben Miller, junior, John Graham, William M. Lyon, Thomas Scott, Thomas M. Howe, James Laughlin, Elijah Heath, George P. Smith, Charles H. Paulson, or any three of them, be and they are hereby appointed commissioners to receive subscriptions to, and organize a company, under the name, style and title of the Western transportation company, with power to lease, finish, equip and operate the Pittsburg and Steubenville railroad, for such term of years, and upon such conditions as may be agreed upon with said railroad company, who for that purpose, and with the consent of a majority of their stockholders, given at a meeting called therefor, are hereby authorized to let and demise their said road as aforesaid, and to execute all necessary leases and agreements. Commissioners  
Style.  
Powers to lease, &c., a certain railroad.

SECTION 2. That the capital stock of said company shall consist of three hundred shares, of one thousand dollars each, which may be increased from time to time as the company may determine, to six hundred shares of like amount; and the stock- Capital.



holders in said company shall elect annually on the first Monday of January five directors, to manage the affairs of said company for the ensuing year.

Subject to. SECTION 3. That said company shall be entitled to all the privileges, and subject to all the provisions of the act, entitled "An Act regulating railroad companies," approved the nineteenth February, one thousand eight hundred and forty-nine, so far as they are not supplied by this act.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of March, one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 750.

## A SUPPLEMENT

To an act relating to the Farrandsville Company, passed the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four.

Office—annual  
meetings and  
elections.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the principal office of the said Farrandsville company shall be in the city of Philadelphia, and that the annual meetings of the stockholders of said company shall hereafter be held in said city on the second Monday of February in each and every year, when and where the president and managers shall be elected for the ensuing year: *Provided,* That if for any cause such election should not be made on the day appointed as aforesaid, such election may be made within ninety days thereafter, fifteen days' previous notice being given by advertisement as provided in case of the annual elections of the time and place of holding such election: *And provided,* That the officers for the time being shall always remain in office till others are elected in their stead.

Power to improve  
Susquehanna  
river.

SECTION 2. That the said Farrandsville company shall have the right and privilege of clearing out a channel in the bed of the river, suitable for steamboat navigation from Farrandsville, on the West Branch of the river Susquehanna, to the mouth of the Sinnemahoning creek, with the privilege of extending it from thence to the mouth of Trout run, and to maintain and keep up the same for the period of time hereinafter mentioned: *Provided,* That the said channel shall in no wise interfere with, incommode or obstruct the ordinary navigation of said river or streams

as heretofore enjoyed by the public, and that no person shall be prevented from navigating said channel with boats or crafts.

SECTION 3. That in consideration of the construction of the channel as aforesaid, the said company and their assigns shall have and enjoy the right and privilege of navigating the said channel with boats or other craft, propelled by steam or other artificial motive power, for and during a period of twenty years from and after the completion of said channel, and no longer: *Provided*, That the said improvement shall be commenced within two years, and completed to the mouth of the Sinnemahoning within three years from the passage of this act: *And provided further*, That it shall be lawful for any other person or persons to navigate said channel with steamboats or other artificial power, upon paying to said Farrandsville company such reasonable toll in such case as may be agreed on between the parties, or fixed by the court of quarter sessions of the county of Clinton, and not otherwise.

Privileges.

Limitation.

Rights of others to use of river.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 751.

## SUPPLEMENT

To an act incorporating the Jersey Shore, Pine Creek and State Line Railroad Company, passed eleventh April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Jersey Shore, Pine Creek and State Line railroad company be and is hereby authorized to extend their road from its eastern terminus, in the borough of Jersey Shore, to any point on the Sunbury and Erie railroad, in the county of Lycoming.

May extend road

SECTION 2. That the said company be and are hereby authorized to construct a branch road, from a point on said road near the mouth of the First Fork of Pine creek, in the county of Lycoming, by way of said First Fork to any point near the western terminus of the Larrys Creek plank road, in said county.

And construct a branch.

SECTION 3. That said company are hereby authorized to extend their branch road from any point in said branch road, in the

Branch to Blossburg.

county of Lycoming, by way of the Block House fork to any point in the borough of Blossburg, in the county of Tioga, or to connect with any other railroad in the county of Lycoming.

Limitation.

SECTION 4. That the time fixed for the commencement and completion of said railroad be and is hereby extended five years: *Provided*, That if either of the branches of said road be completed five miles in length, that portion so completed shall not be forfeited by said company in consequence of their inability to complete the balance of the road, subject, however, to the provisions contained in the act of assembly incorporating said company.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 752.

## A SUPPLEMENT

To the act to incorporate the Lock Haven Gas and Water Company, approved the eleventh day of February, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the first section of the act to which this is a supplement is hereby so far altered and repealed as to make the persons named therein commissioners instead of corporators, whose duty it shall be to open books to receive subscriptions to the stock of said company, after two weeks' notice in one of the newspapers of Lock Haven; and any three of the said commissioners shall be a quorum for the purpose aforesaid.

SECTION 2. That the time for organizing and commencing operations under this act is hereby extended for the period of two years from the date hereof.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 753.

## AN ACT

Relating to the Hollenback Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Hollenback coal company, formed under the act, entitled *“An Act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth to manage and develop the same,”* passed the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, are authorized and empowered to acquire, purchase and hold, in fee simple, the right of soil or surface of the tract of land of which the coal and other privileges are embraced in the certificate of said company, or any part of said right of soil or surface that the said company may deem necessary and convenient for the purpose of carrying on the business of said company.

May purchase lands.

SECTION 2. That the said the Hollenback coal company are authorized and empowered to increase the capital stock of said company to an amount not exceeding two hundred thousand dollars: *Provided,* That a bonus of one half of one per centum be paid to the commonwealth upon such increased stock, in four equal annual instalments after creation thereof.

May increase their capital.

Bonus.

SECTION 3. That the said the Hollenback coal company are authorized and empowered, in addition to the privileges and powers enjoyed under their present charter, to mine, transport and vend their coal, and to have and enjoy the same privileges and powers, and subject to the same conditions for the mining, transporting and vending their coal as though the said company had been formed under the act, entitled *“An Act to encourage manufacturing operations in this commonwealth,”* passed the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and the supplement thereto.

May mine and sell coal, &amp;c.

SECTION 4. That the husband of any stockholder in said company may be elected a director of the same, and may hold and exercise the office of director of said company as fully and to the same effect as if such husband held stock in his own right in said company.

Eligibility for directors.

SECTION 5. That the said the Hollenback coal company are authorized and empowered to purchase and hold, in fee simple, any coal right or coal lands adjoining the coal privileges now held by said company, not exceeding in the aggregate two hundred acres.

Additional lands.

SECTION 6. That the said the Hollenback coal company are authorized to take from the corporators of said company, or any of them, conveyances of coal or of coal lands owned by said corporators, or any of them, adjoining the coal right now held by said company, and to hold the same in fee simple, not exceeding in the aggregate fifty acres; and the guardians of any minor

May take conveyances of certain lands.

Proviso.

heirs interested in said adjoining lands may and hereby are empowered to convey such adjoining lands in fee simple to said company, upon such terms as may be satisfactory to the said guardians and the other tenants in common with said minors, and to take stock therefor; such conveyances by guardians to be reported to and approved by the orphans' court of Luzerne county before the same shall be valid and effectual.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 754.

## AN ACT

Extending the time for commencing the Columbia and Octoraro Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the time allowed in the act entitled "An Act authorizing the governor to incorporate the Columbia and Octoraro railroad company," passed on the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, for the commencement of the said railroad, be and the same is hereby extended for three years beyond the time allowed in the said recited act and the charter of the said company, and the several laws relative thereto, or in any manner concerning the said railroad company, which are now in force, shall be and remain in as full force as though the time in this act extended had been allowed in the original act.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.



No. 755.

## A FURTHER SUPPLEMENT

To an act to incorporate the Cumberland Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That authority is hereby given to the Cumberland Valley railroad company to extend their railroad from the borough of Chambersburg to any point on the Baltimore and Ohio railroad, in the state of Virginia, between the town of Hancock and the mouth of Opequan creek, or to any point in the state of Maryland, to purchase, re-lay and put in running order the present Franklin railroad, and accept any chartered privileges for those purposes which have been or may be granted by those states, or either of them: *Provided*, That it shall be the duty of the said Cumberland Valley railroad company to commence re-laying and putting in running order that part of the said work which lies within the state of Pennsylvania within six months after said company shall come into possession of said railroad, and to complete the same within one year thereafter, and upon failure so to do, the provisions of the first and second sections of this act shall be null and void: *Provided further*, That the rate of toll charged on the Franklin railroad shall at no time be greater than that charged on the Cumberland Valley railroad.

May extend road

And purchase  
Franklin rail-  
road.Time for re-lay-  
ing.

Tolls.

SECTION 2. That for the purposes aforesaid the Cumberland Valley railroad company is hereby authorized to increase its capital stock to an amount not exceeding two million five hundred thousand dollars, or to issue bonds for the whole or any part thereof, and if deemed expedient, to secure the same by a mortgage of all or any part of the road, franchises and real property of the said company: *Provided further*, That nothing herein contained shall be so construed as to deny to other railroads, corporations or companies the right to compete with the said Cumberland Valley railroad company, for the purchase of the said Franklin railroad, and if becoming so possessed of the same, to complete it in the manner prescribed in this act.

May increase  
capital.

Proviso.

SECTION 3. That it shall be lawful for the holders of the first and second preferred eight per centum stocks of the Cumberland Valley railroad company, or any of them, with the consent of the board of directors, to surrender the same, and in lieu thereof receive the bonds of the company for the same amount, bearing the same rate of interest, eight per centum; which bonds the said company are hereby authorized to secure by first and second mortgage of their road, real property and franchises, the first of said mortgages to secure the holder of the first preferred stock.

Surrender of pre-  
ferred stock au-  
thorized.

SECTION 4. That this act shall not be effectual until it shall have been submitted to a general meeting of the stockholders, convened upon public notice, and by it agreed to; the proceedings of which meeting shall be duly recorded upon the minutes of

Act to be accep-  
ted.

the company, and filed in the office of the secretary of the commonwealth.

RICHARDSON. L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The first day of April, one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 756.

## AN ACT

To incorporate the New Granada Mineral Land Company.

Corporators.

Style.

Powers.

By-laws.

Directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Norris, William C. Ludwig, Henry C. Storms, P. J. Smith, Ephraim Clarke, junior, Bettie Paule, E. G. Dutilh, Harrison Smith, J. T. Way, Isaac W. Moore and D. H. Rockhill, their associates, successors and assigns, be and they are hereby created a body politic and corporate by the name, style and title of the "New Granada mineral land company," and by such title shall have perpetual succession, make and use a common seal, and shall be capable to hold, improve and dispose of lands in New Granada, and to obtain therefrom all minerals or other valuable substances, whether by mining or working, or by the leasing or disposing of privileges to mine or work such lands as aforesaid, to construct and open for use any and all kinds of roads to and from all portions and bodies of the lands of the said company, to erect houses, mills and manufactories thereon, and to use and work the same, to hold and possess means of communication therewith, and to dispose of the products of all such lands, mines, manufactories, mills, roads and privileges as may be to the interest of said company.

SECTION 2. That said company shall have the power of making and establishing such by-laws as they may deem necessary or expedient to enable them to carry out the object of the corporation, and such by-laws to alter, amend, or repeal at their pleasure; and they shall have the power to issue certificates of stock or bonds, representing the value of said property, in such form and manner as the by-laws may determine.

SECTION 3. That the corporators named in this act shall elect seven of their number to serve as directors of the company, a majority of whom shall be a quorum, for the transaction of busi-

ness until the time which the by-laws shall prescribe for another election, or until their successors shall have been chosen.

SECTION 4. That the capital stock of said company shall not exceed one million of dollars, divided into shares of ten dollars each ; and said company shall pay to the state a tax of one-half of one per cent. on their capital stock, payable in four equal annual instalments from the creation of said capital stock, the first payment to be made in one year from the date hereof: *Provided*, That the stockholders and corporation shall be subject to all the provisions and liabilities contained in the eleventh, twelfth, thirteenth and fourteenth sections of an act, entitled “ An Act to incorporate the Lackawanna iron and coal company,” approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be individually liable in person or estate for any loan or loans made to the said company: *And provided*, This liability shall not extend to any obligations without the limits of the United States.

Capital stock.

Bonus.

Subject to.

Individual liability.

RICHARDSON L. WRIGHT,

*Speaker of the House of Representatives.*

WM. W. PIATT,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 757.

## AN ACT

To authorize the Governor to incorporate a Company to erect a Bridge over the Conemaugh river at or near Nineveh, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That David Wakefield, Thomas Davis, James Johnson, George Dill, John Boler, Samuel Elder, Alexander Elliott, John Brandon, Jacob Gamble, James Dick, Henry Rogers, Amos L. Waterson, John M. Barber, Elias B. M'Clelland and James Duncan, of Indiana county ; William Graham, Robert Hill, Jacob Myers, John Hill, Colonel John M'Farland, George Myers, William M'Pherson, George W. Leuffer, Alexander Van Horn and Richard Murray, of Westmoreland county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company under the name, style and title of the Strongtown and Ligonier bridge company, for the purpose of erecting a bridge across the river Conemaugh, in the counties of Indiana and Westmoreland, at or near the town of Nineveh.

Commissioners.

Style.

Location.

Capital.

SECTION 2. That the capital stock of said company shall be ten thousand dollars, to be divided into four hundred shares of twenty-five dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge.

Subject to.

SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of an act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,

*Speaker of the House of Representatives.*

WM. M. PIATT,

*Speaker of the Senate.*

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 758.

## A SUPPLEMENT

To an act incorporating the Franklin Railroad Company, passed the twelfth day of March, one thousand eight hundred and thirty-two.

Preamble.

WHEREAS, The Franklin railroad company, incorporated in pursuance of an act of assembly of the commonwealth of Pennsylvania, passed the twelfth day of March, Anno Domini one thousand eight hundred and thirty-two, their successors or assigns, have failed to keep the road constructed in pursuance of said act, from Chambersburg to the Maryland state line, in the repair necessary for public use as provided by law, for more than two years, and have by their neglect of said road, which is now unfit for public use by reason of decay, dilapidation and neglect, have abused and misused the rights and privileges granted them by the several acts of assembly of this commonwealth for the construction, repair and re-laying of said railroad; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and singular the rights and privileges granted to the said company by said act of assembly of twelfth March, Anno Domini one thousand eight hundred and thirty-two, or any other act of assembly, supplementary or otherwise, providing for the construction, repair and re-laying said railroad, be and the same are hereby resumed by the commonwealth, in pursuance of the power reserved in said original act: *Provided however,* That if the said Franklin railroad company, their successors or assigns, in pur-

Privileges and  
franchises re-  
sumed by the  
commonwealth.

suance of the acts of assembly in such cases made and provided heretofore, in relation to the construction or repair of said railroad from Chambersburg to the Maryland state line, shall make or cause the said Franklin railroad to be re-laid and repaired in a manner sufficient for the public use, in the running on the same of freight and passenger cars with steam power from Chambersburg to the borough of Greencastle, on or before the first day of December next, and from said borough of Greencastle to the Maryland state line, on or before the first day of April, one thousand eight hundred and fifty-seven, then the provisions of this act shall be null and void, otherwise to remain in full force and virtue.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No 759.

## AN ACT

To Divorce Samuel and Salina Gallaher.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract heretofore entered into between Samuel Gallaher, and Salina, his wife, both of the county of Butler, is hereby declared null and void, and the parties thereto discharged therefrom as fully and effectually, to all intents and purposes, as if the said contract had not been entered into.*

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.



No. 760.

## AN ACT

To incorporate the Enterprise Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles W. Warnick, William F. Smith, Edwin Booth, John F. Bird, M. D., D. H. Shillingsford, Joseph H. Collins, Henry Davis, Samuel T. Bodine, James B. Foust, John T. Smith, John Dallam, Charles Blummer, junior, J. Eastlum Hamed and John Fry, of the city of Philadelphia, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Enterprise insurance company, to be located in the city of Philadelphia, with a capital of one hundred thousand dollars, with the privilege of increasing to five hundred thousand dollars, divided into shares of fifty dollars each; and said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to transact its business upon the mutual principle, in connection with its joint stock capital as aforesaid.

RICHARDSON L. WRIGHT,

*Speaker of the House of Representatives.*

WM. M. PIATT,

*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 761.

## AN ACT

Relative to the Philadelphia and Sunbury Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the time allowed for the completion of the Philadelphia and Sunbury railroad, under the provisions of the several acts of assembly in relation to the said company, is hereby extended for the period of three years from the passage of this act; and the said company may from time to time contract for the building, use or purchase of locomotives, steam engines and cars for their road, and at any time within five years from the passage of this act, execute a mortgage or mortgages upon them for the debts contracted for their construction, use or purchase, which mortgage or mortgages shall be a lien from their date upon such engines and cars, prior and superior to all other liens by execution or otherwise, notwithstanding the said engines or cars may be and remain in the possession and use of said company; and the mortgagees named in said mortgages, and their assigns, may resume the possession of the said engines and cars whenever the contract for the construction, use or purchase, or any of its stipulations are violated or not performed: *Provided*, That all debts against the said company for ties, wood or other materials furnished, or damages ascertained or labor performed along the line of the road of the said company, shall be paid in full or satisfactorily secured to the creditor up to the date of the creation of the first mortgage under this act, otherwise the said mortgage shall have no validity as against the said debts or claims: *Provided*, That such mortgage or mortgages shall be duly acknowledged and recorded within thirty days of their date in the office for recording deeds and mortgages in the county of Northumberland.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 762.

## A N A C T

To incorporate the Schuylkill Fire and Marine Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel R. Bennett, William De Haven, William Mortimer, junior, J. M. Weitherrell, George Bright, Michael Beard, Francis Bright, Peter Seiberling, Samuel Sillyman, Benjamin Pott, Daniel Boyer,  
Commissioners.

W. F. Smith, John D. Dibert, Paul Barr, George Lauer, Edward O'Conner, Thomas Birkbeck, William Johns, Richard Edwards, A. E. Straub, Daniel E. Wilt, Abraham Bressler, John B. M'Creary, John G. Rehn, Charles D. Hipple, Bernard Reiley and Frederick Witheiner are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Schuylkill fire and marine insurance company, to be located in the borough of Pottsville, in the county of Schuylkill, with a capital of twenty-five thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, divided into shares of fifty dollars each; which said company shall be organized and managed according to the provisions of an act to incorporate insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to transact its business upon the mutual principle, in connection with its joint stock capital as aforesaid.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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763.

## A N A C T

To incorporate the Bellefonte Gas Company, in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That General James Irvin, Andrew G. Curtin, Harvey Mann, James Burnside, James T. Hale, Jacob V. Thomas, E. C. Humes, D. J. Pruner, Henry Bockerhoff, H. N. M'Allister, William Harris, Bond Valentine, Abraham S. Valentine, George W. Tate, George Livingston, James D. Turner, George W. Potter and Edmund Blanchard, and all others who may associate with them, are hereby made and constituted a body politic and corporate by the name, style and title of the Bellefonte gas company, and by the same name they and their successors shall have perpetual succession, and have and enjoy all the privileges and powers, and be subject to all the regulations, limitations

and restrictions of an act to incorporate the Lock Haven gas and water company, passed the eleventh day of January, one thousand eight hundred and fifty-four; and all and every of the sections and provisions of said act shall be applicable to the company hereby incorporated as fully and amply as if the same were incorporated in this act, except the names of corporators, and that the word Bellefonte be in all cases substituted for the word Lock Haven in said act: *Provided*, That the first meeting for the organization of the company hereby created prior to the first Monday of January, one thousand eight hundred and fifty-seven, shall be at such times and places as a majority of the corporators above named shall determine.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS POLLOCK.

No. 764.

## A N A C T

To incorporate the Washington and Maryland Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Shoch, Amos S. Green, Daniel Herr, John Black, John A. Sheaff, Thomas H. Baumgardner, John Griffin, John J. Porter, John M'Sparran, L. W. P. Boyd, Joseph Balance, Jeremiah B. Haines, John Long, Henry M'Vey, Jeremiah Brown, junior, William Barnes, Joseph Harner, William Idle, John C. Walton, of the county of Lancaster; Samuel Martin, Lewis Gause, John Richards, John M. Kelton, Job H. Jackson, Mark A. Hodgson, Samuel Dickey, James R. Ramsay and Franklin Taylor, of the county of Chester, or any seven of them, be and they are hereby appointed commissioners to open books, receive subscriptions and to organize a company by the name, style and title of the Washington and Maryland Line railroad company, with all the powers and subject to all the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine. Commissioners.  
Style.  
Subject to.

SECTION 2. That the said company when organized shall have power to locate, construct, operate or lease, under the provisions

Route. of said act, a railroad running from the borough of Washington, in Lancaster county, along the east bank of the Susquehanna to the Maryland state line, and shall have power to connect their road at the said Maryland line with any railroad incorporated by the state of Maryland, and run their cars over the same:

Proviso. *Provided*, That the legislature hereby reserves the right at any time hereafter to impose on said company, and subject them to pay to and for the use of the commonwealth the same rate of tax on tonnage as is or may hereafter be provided by law to be paid by the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company.

Capital. SECTION 3. That the capital stock of said company shall consist of five thousand shares, of fifty dollars each, and it shall be lawful for the stockholders of said company, or a majority of them in value, at any meeting called for the purpose, to increase the capital stock to any number of shares not exceeding, on the whole, fifteen thousand shares.

Limitation. SECTION 4. That the term within which said company shall complete and open their road shall be five years from the date of their letters patent: *Provided*, That the completion of any ten miles or more of said road shall be held as good for all the purposes of this act, as though the whole had been completed.

Damages. SECTION 5. That whenever the parties cannot agree upon the damages claimed, either for lands or materials taken by the said company in the prosecution of their work, the said company may tender a bond and proceed, in all respects, as is provided and specified in the second section of an act, entitled "A supplement to an act incorporating the Pennsylvania coal company," approved the seventh day of March, Anno Domini one thousand eight hundred and forty-nine.

Road to Columbia. SECTION 6. That in case the Columbia and Octoraro railroad company do not commence the construction of that part of their road between Columbia and the borough of Washington within one year from the date of the passage of this act, and finish the same within three years thereafter, then the said Washington and Maryland Line railroad company shall be authorized to locate and construct their road to the borough of Columbia.

RICHARDSON L. WRIGHT,

*Speaker of the House of Representatives.*

WM. M. PIATT,

*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.



No. 765.

## A N A C T

To incorporate the North Branch Insurance Company of Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Allen M'Kean, John A. Codding, Gordon F. Mason, H. P. Moore, E. Reed Myer, Guy Tracy, Isaac Myer, Henry W. Tracy, Job P. Kirby, D. C. Hall, Oscar F. Young, Preceptor Forbes Mahlon, C. Mercur, Thomas Elliott, William C. Bogart, Joseph Powell, Ezra Holcomb, Orin D. Bartlett, Nathaniel N. Betts and James D. Humphrey, of Bradford county, Pennsylvania, are hereby appointed commissioners, who or a majority of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of the North Branch insurance company, to be located in the county of Bradford, with a capital of fifty thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital at any time to two hundred thousand dollars, which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to transact its business on the mutual principle in connection with its joint stock capital as aforesaid.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 766.

## AN ACT

To incorporate the Robert Morris Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John D. Morris, R. F. Brown, E. B. Orbison, R. F. Raley, Robert Perry, R. C. Hale, J. L. Hutchinson and John Waggoner are hereby appointed commissioners, who, or a majority of them, are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of the Robert Morris insurance company, to be located in the city of Philadelphia, with a capital of fifty thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital at any time to three hundred thousand dollars; which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 767.

## A SUPPLEMENT

To an act to authorize the Governor to incorporate a Company for erecting a Bridge over the river Susquehanna at the borough of Towanda, the Seat of Justice in the County of Bradford, approved the fourteenth day of March, one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the said corporation shall

be known, in deed and law, by the name, style and title of the Towanda bridge company, and by said name shall have perpetual succession, and all the interests, privileges and powers heretofore enjoyed by said corporation. Name changed.

SECTION 2. That the president and managers of said corporation shall have power to increase the capital stock of said company twenty thousand dollars, on such terms and conditions as they shall deem proper. May increase capital.

SECTION 3. That when the said new stock shall be subscribed, and such parts of it paid as may be agreed upon, the said new stockholders shall be in all respects equal to, and have all the rights and privileges of the old stockholders: *Provided*, That the present stockholders, or any of them, shall have the right to subscribe for the amount of stock now held by them. Privileges of stockholders.

SECTION 4. That the president and managers of said corporation shall have, hereafter, full power and authority to borrow any sum or sums of money not exceeding at any one time ten thousand dollars, which may be necessary in repairing or rebuilding their bridge, any such loan or loans to be on such terms and conditions as the said corporation may deem fit, with power also to pledge and mortgage as security for any such loan or loans, their bridge, and all and any of their property, real and personal, together with all their rights, powers, privileges and franchises; and any sales or sales, under any judicial process, to enforce any such pledge or mortgage, shall pass to and vest in the vendee or vendees whatever property, rights, powers, privileges and franchises may have been pledged as aforesaid: *Provided*, That no certificate of loan shall be of less denomination than one hundred dollars. Borrow money.

Mortgage property.

Effect of sale.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

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No. 768.

## AN ACT

To incorporate the Farmers' Mutual Fire Insurance Company of Dover, Conewago, Newberry and East and West Manchester townships, in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* E. Melchinger, Henry Bender, John Hooper, William S. Picking,

Commissioners. John Reeser, Samuel M. Eisenhart, John A. Hooper, Joseph M'Creery, Jacob F. Krone, Daniel Gross, senior, William W. Wolf, Benjamin Myers, John Neiman, Jonas Stough and David Smyser, of York county, are hereby appointed commissioners, who or a majority of whom are authorized and empowered from and after the passage of this act, to establish an insurance company by the name and title of "The Farmers' Mutual Fire insurance company of Dover, Conewago, Newberry and East and West Manchester townships, in the county of York," to be located in the county of York, and shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to transact its business upon the mutual principle exclusively.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 769.

## A N A C T

To incorporate the East Broad Top Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* David Clarkson, A. W. Evans, George Ebey, Charles Mickley, William Butler, Thomas Stewart, James J. M'Elheny, T. P. Campbell, John R. Gosnell, George W. Spear, Samuel Miller, Jacob Criswell, A. B. Cravitt, Jacob H. Miller, George Freysinger, William H. Irvin, Alexander Gibboney, William Reed, E. E. Locke, Seth Benner, Samuel Ebey, John Bear, Samuel W. Mifflin, John Dougherty, Abraham Lewis, Robert Chalfant and Josiah Kerr, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the East Broad Top railroad and coal company, for the purpose of constructing a railroad as hereinafter is provided, and also for the purpose of mining coal, and for transacting the usual business of companies engaged in mining, transporting and selling coal, and the other products of coal

lands; the capital stock of said company shall not exceed five hundred thousand dollars, and the said company may hold, not exceeding in the aggregate at any one time, two thousand acres of land, in Todd township, in the county of Huntingdon; in Wells township, in the county of Fulton; and in Broad Top township, in the county of Bedford, together with such quantity as may be necessarily required for the prosecution of their legitimate business, for stations along their road, and a depot on the Pennsylvania canal and railroad, at or near the towns of Mapleton and Mount Union, in the county of Huntingdon; and the said company shall have the same powers, liberties, privileges, immunities, and be subject to the same terms and conditions as are imposed in the act regulating railroad companies, passed the nineteenth day of February, one thousand eight hundred and forty-nine, entitled "An Act to regulate railroad companies."

Capital stock

Lands.

Subject to.

SECTION 2. That the president and directors of the said company be and they are hereby authorized, if they deem it advisable, to pay to the stockholders entitled to receive the same, in the months of January and July of each year, interest at the rate of six per centum per annum on all instalments paid by them on their several shares of stock, and shall continue to pay the same till the road and improvements are in operation; and the said profits or earnings of the said road and mining, within the same time, shall be credited to the cost of construction, and all interest paid shall be charged to the cost of construction: *Provided*, That the interest shall not be paid on any share of stock upon which any instalments which has been called for remains unpaid: *Provided further*, That the said corporation are hereby authorized and empowered, at such times as the president and directors may deem necessary, for the purpose of raising funds, or paying for iron, to issue certificates of indebtedness, or corporate bonds, not exceeding in amount three hundred thousand dollars, none of which shall be of a less denomination than one hundred dollars, signed by the president, and attested by the secretary of the company, under the corporate seal of the corporation, and bearing an interest of seven per centum per annum, with power to attach coupons for the payment of interest, payable on the first Monday of January and July in each and every year, at the office of the treasurer of the company, or at the Harrisburg, Philadelphia or Baltimore banks.

May pay interest to stockholders.

Proviso.

May issue bonds.

SECTION 3. That the president and directors of the East Broad Top railroad and coal company are hereby empowered and authorized to mortgage their railroad, with all the franchises connected with the same or belonging to the company, and all their corporate lands, if they think proper to secure the payment of their corporate bonds or other evidences of debt, which the company may issue for the construction and completion of their railroad improvements.

And mortgage road.

SECTION 4. That the said East Broad Top railroad and coal company be and they are hereby authorized to make lateral railroads from any point on the main route of the whole of said railroad, in any direction, not exceeding seven miles in length.

Lateral roads.

SECTION 5. That the said company shall have power to connect their railroad with the Pennsylvania railroad at or near a place called Mapleton, and also at Mount Union, in Huntingdon

May make connections.



county, and to extend from thence to the East Broad Top coal fields, a distance of not more than twenty-five miles, and shall have power to connect with the Pennsylvania canal at Mount Union and at or near Mapleton, and to dig and construct such basins and boat slips, to be supplied with water from said canal, as may be necessary for the use of the said company in the loading of boats and the transshipment of coal and other freights: *Provided*, That the connection and construction of slips and basins hereby authorized, shall not in any manner interfere with or interrupt the business on the said canal, and the plan or plans for which be submitted to and approved by the board of canal commissioners.

Proviso.

Liability of stockholders.

SECTION 6. That the stockholders and corporation shall be subject to all the provisions and liabilities contained in the eleventh, twelfth, thirteenth, fourteenth sections of an act, entitled "An Act to incorporate the Lackawanna iron and coal company," approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be individually liable in person or estate for any loan or loans made to the said company.

Report and tax.

SECTION 7. That it shall be the duty of said company, within three months after its organization, to make return to the auditor general, under the oath or affirmation of the president and secretary, of the whole amount of capital employed for mining purposes; and it shall be the duty of said company to pay into the state treasury, in four annual instalments, one-half of one per centum on such capital so employed; and in the event of said capital being at any time increased, it shall be the duty of said company, in instalments aforesaid, to pay into the state treasury one-half of one per cent. on such increase, and shall further pay such tax on dividends as is or may hereafter be provided by law.

RICHARDSON L. WRIGHT,

*Speaker of the House of Representatives.*

WM. M. PIATT,

*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 770.

## AN ACT

To incorporate the Schuylkill Haven and Lehigh River Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Joshua Boyer, Doctor Jacob Treichler, Bernard Reiley, Benjamin Heilner, Philip Alshbaugh, George Huntzinger, John Hipple, senior, John C. Cresson, R. A. Wilder, William De Haven, D. R. Bennett, J. S. Keller, Doctor S. H. Shannon, J. D. Deibert, Daniel Kistler, John Raush, John Daugherty, John M. Barnes, Adam Wolf, A. G. Broadhead, Charles Nunson, John Bowman, H. B. Burnham, Charles Frailey, William A. Biddle, Samuel Welsh, Mordecai L. Dawson, William Bickel, John S. Pulsifer, J. K. Olewine, Hiram Walbridge, or any five of them, be and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the capital stock of the said company hereafter directed to be incorporated.

SECTION 2. That the capital stock of the said company shall be seven hundred thousand dollars, which said capital may be increased, if required, to any sum not exceeding one million of dollars.

SECTION 3. That the Schuylkill Haven and Lehigh River railroad company hereby directed to be incorporated, shall be and hereby is invested with all the rights and powers necessary for the construction and repairs of a railroad from the borough of Schuylkill Haven, in Schuylkill county, by way of Orwigsburg and Ringgold, to connect with the Lehigh Valley railroad at or near the mouth of Lizzard creek, in the county of Carbon, and to join, cross or intersect any railroad, canal or other public improvement on the line of the said railroad: *Provided*, That such connection or crossing shall not interfere with the free use of the works already constructed, nor extend north or west of the Mine Hill or Reading railroad at Schuylkill Haven.

SECTION 4. That the said company shall not charge a higher rate of toll than one and a half cent per ton per mile for all coal and other commodities transported over said road, nor more than one and a half cent per ton per mile for motive power.

SECTION 5. That the said company shall be entitled to all the rights, privileges and be subject to all the restrictions and regulations provided for in the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine.

SECTION 6. That if the said company shall not commence the construction of said road within three years, and complete and open the same for use with at least one track within ten years, then this charter shall be null and void.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

## No. 771.

## AN ACT

To incorporate the North-Western Coal and Iron Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Amos N. Meylert, John M. Odenheimer, Joseph Pancoast, Edward M. Clymer, J. D. Sherwood and J. Porter Brawley, their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the North-Western coal and iron company, and as such shall have power to take and hold land and real estate, on lease and in fee simple, in the townships of Donegal, Winfield, Clearfield and Buffalo, in Butler county, and North Buffalo and South Buffalo, in Armstrong county, and to mine, prepare for market, sell and dispose of the cannel and bituminous coal, iron ores, fire clay and other minerals on their lands, and to manufacture iron, lubricating and illuminating oil or other products of their minerals or lands, and to convey the said minerals or the products thereof to market, with power to grant leases of the said lands, or any portion thereof: <i>Provided, That</i> the amount of land owned by said company shall not at any time in the aggregate exceed three thousand acres.</p>
Style.	
Privileges.	
Lands.	
Capital.	<p>SECTION 2. That the capital stock of the aforesaid company shall not exceed twenty thousand shares of fifty dollars each; and the said company is hereby declared and made capable in law to sue and be sued, implead and be impleaded, to have a common seal, and the same to alter at pleasure, to hold and convey such real estate and personal property as may be necessary to promote the objects of the corporation, and to sell and dispose of the products of their lands; and it shall be lawful for the said company to construct such lateral or branch railroads, not exceeding twenty miles, as may be necessary to connect any of their lands with the North-Western or any other railroad within this commonwealth: <i>Provided, That</i> nothing in this act shall be so construed as to allow the construction of a railroad by said company from Brady's Bend, by way of Buffalo creek, to connect with the North-Western railroad at or near Rough run, in the counties of Butler and Armstrong.</p>
Railroads.	
Proviso.	
Directors and their election.	
Votes	<p>SECTION 3. That the stockholders shall annually elect a board of directors, to consist of not less than five nor more than nine, for the management of the affairs of the company, public notice of such election to be given in such manner as may be prescribed by the by-laws of said company, to serve for one year and until others are elected, and the company shall not be dissolved by reason of a failure to elect such directors at the proper time and place; the election shall be conducted by ballot, and such of the stockholders of the company as shall attend for that purpose shall be entitled, in person or by proxy, to one vote for each</p>

share of stock held by him or them; and the directors shall elect one of their number president of the board, and shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and management and transacting the business of the company, declare and provide for the payment of the dividends to the stockholders, and in general to superintend the business and affairs of the company; and the first election of directors shall be called by the persons named in the first section of this act in the city of Philadelphia, at such time as they may designate: *Provided*, That such by-laws shall not be repugnant to the constitution of this commonwealth or of the United States.

SECTION 4. That the aforesaid company shall have the right and power to borrow money at a rate not over seven per cent. per annum, to enable them to promote and carry out the objects of this corporation, and give mortgages or other security for the payment thereof, and the same to be convertible into stock, as shall be agreed upon between said company and the lender or lenders: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

SECTION 5. That the said company shall pay a bonus to the state for the privileges above granted of one-half of one per cent. on its capital stock as paid in, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and such tax on dividends as is or may hereafter be provided by law.

SECTION 6. That the stockholders of said company shall be severally liable in their individual capacities, to the amount of stock each one may hold, for all the debts contracted by them for work and labor done, or materials furnished for opening and mining the minerals on or in their lands.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 772.

## AN ACT

To change the name of the North-Western Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the name of the North-Western coal and iron company, in Butler and Armstrong counties, shall hereafter be known by the name of the Buffalo coal and iron company.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 773.

## AN ACT

To incorporate the Chester and Philadelphia Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John P. Crozer, John M. Broomall, William T. Crook, Spencer M'Ilvaine, David Trainer, William Young, F. J. Hinkson, John Larkin, junior, John M. Sharpless, John O. Deshong, Joshua P. Eyre, James Campbell, William M'Glaughlin, Benjamin Gartside, Jesse J. Maris, James Irving, shall be and they are hereby appointed commissioners for the purpose hereinafter mentioned, that is to say, they or a majority of them are hereby authorized to receive subscriptions from all persons duly qualified, and desirous of taking stock in the company to be incorporated by this act, as follows, viz: We whose names are hereunto subscribed do severally promise to pay to the Chester and Philadelphia steamboat company twenty-five dollars for each and every share of stock set opposite to our respective names, at such times, and in such instalments as the directors of said company may require; and the said persons, at the time of subscribing, shall pay to the said commissioners an instalment of five dollars on each share of stock by them respectively subscribed.

Commissioners.

Duties.

Style.

SECTION 2. That the aforesaid persons, and those who may hereafter subscribe to the stock of said company, and their successors and assigns, shall be a body corporate and politic in law, by the name, style and title of the Chester and Philadelphia steamboat company, for carrying freight and passengers to and from said ports of Chester and Philadelphia, and intermediate



places on the Delaware river, and by the said name, style and title the said company shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to have a common seal, and the same to break, alter and renew at pleasure, and to receive, purchase, possess, employ, hire and dispose of steamboats, wharves, depots, offices, warehouses and other appropriate appurtenances for carrying into effect the objects of this incorporation. Privileges.

SECTION 3. That the capital stock of the said company shall be twenty thousand dollars, with privilege to increase the same to fifty thousand dollars, divided into shares of twenty-five dollars each, subscribed for as aforesaid; and if any subscriber, his or her assigns, or transferee, shall refuse or neglect to pay the second or any subsequent instalment called for and demanded by the directors as aforesaid, such subscriber, his or her assigns, or transferee, shall forfeit each and every share on which payment shall not be duly made within sixty days after the same has been so called for and demanded as aforesaid, together with all moneys or instalments before paid on such shares so forfeited, and new subscriptions may be opened and received for the share or shares so forfeited. Capital. Payment of subscriptions.

SECTION 4. That the affairs of the said company shall be managed by nine directors, stockholders of the said corporation, who shall be elected as soon as four hundred shares shall be subscribed, and for that purpose the said commissioners, or a majority of them, shall appoint a day, and fix a place for holding an election, of which they shall give ten days' notice in one newspaper published in Delaware county, and annually thereafter the directors of said company shall be elected on the first Monday in February, between the hours of one and four o'clock, P. M., by the stockholders, and by ballot, each share of stock having one vote, ten days' notice of which shall be given by the secretary of the company; and the directors so elected shall appoint a president, treasurer and secretary of the company, and all such other officers, agents or persons as they may deem necessary for conducting and carrying on the business of the corporation, and fix the salaries of all such officers, agents or persons employed in the business of the company, and require from any or each of them such securities for the faithful performance of their respective duties as they may deem to be expedient, and they shall have power to make and establish such by-laws, rules and regulations as to them may seem proper for the well ordering and conducting of the affairs of the said company. Directors and their election.

SECTION 5. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the company, according to such rules and regulations as the directors may establish. Transfers.

SECTION 6. That the directors of the said company may, if they deem it advisable for the interests of the said corporation, on the third Monday in January of each and every year, declare a dividend of so much of the profits as they may deem expedient, and the dividends so declared shall be paid to the stockholders, subject to such rules and regulations as the directors shall make or that purpose. Dividends.

Limitation.

SECTION 7. That this act shall continue in force for twenty years from and after the passage thereof, and no longer.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 774.

## AN ACT

To incorporate the Washington Gas Company.

Corporators.

Style.

Privileges.

Gas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Workman, Joseph Henderson, Jacob Morgan, C. M. Reed, Freeman Brady, junior, Alexander Seamen, James W. Koonts, Sample Sweney, J. L. Judson, Simon Cort, Jacob Slagle, Charles Hays, and their associates and successors, be and the same are hereby made and constituted a body politic and corporate by the name and style of the Washington gas company; and by said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatever; and also of contracting and being contracted with relative to the business and objects of said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease or purchase in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute obligations for the liabilities created in the transaction of said business of the corporation, and for none other.

SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Washington and its vicinity, in the county of Washington, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect within said borough the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway for the purpose of laying down pipes, altering, inspecting and

repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible.

SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed eighty thousand dollars, as the directors thereof shall deem necessary, for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which certificates shall be transferable at pleasure by the owner thereof, or by attorney duty authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.

Capital.

Certificates.

SECTION 4. That the management and control of said corporation shall be vested in the persons named in the first section of the act until the first Monday in January, Anno Domini one thousand eight hundred and fifty-seven, at which time the stockholders shall meet at such place as the board may designate, and elect from their number seven managers to serve for one year and until their successors shall be duly elected, which shall be annually on the first Monday in January thereafter, and said managers shall have power to select one of their number as president, and also a secretary and treasurer to serve for the same term, and the manner of conducting said elections shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share *bona fide* held by him, her or them, either as trustees, executors or administrators at the time of holding said election.

Elections.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws not inconsistent with the laws of this commonwealth, and shall keep minutes of all their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things for the proper regulation and government of the corporation as they may deem necessary. They shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable on the first Mondays in January and July of each year, which shall be paid to the stockholders on demand ten days after the same shall have been declared.

By-laws.

Dividends.

SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of said company without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having the same inspected and approved by the proper officer of the corporation, at proper times and under proper circumstances, to inspect the pipes, metres, burners, et cetera, put up in any building, he, she or they so offending shall be subject to a penalty of not less than five nor more than fifty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recoverable, one half to be paid to the informer and the other half to the borough of Washington for the use of said borough.

Illegal use of gas

Penalty for injuries to works.

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction, works, gas pipes, gas posts, burner or any other matter or thing appertaining to the same, shall be obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be thereof indicted in the court of quarter sessions of the county of Washington, and on conviction shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, in the discretion of the court: *Provided*, That said criminal prosecution shall not in any way impair the right of said company to a full compensation in damages in a civil suit or action.

Repairs of street, &c.

SECTION 8. That said company shall without unnecessary delay refit, repair and restore to good and safe condition all openings made in any of the streets, lanes and highways of the said borough, occasioned by the laying, refitting or examining their pipes, or for any other purpose, at the expense of said company, and to the satisfaction of the town council of said borough, and on failure to do so shall forfeit and pay to and for the use of the borough, with full costs, such a sum of money as may be necessarily expended by the town council in refitting and restoring the same; and the said company shall furnish all gas required or used for lighting up any or all of the streets, alleys or squares of said borough, at a deduction of five per centum from the rates charged to property holders and others by said company.

Use of gas.

SECTION 9. That it shall not be lawful for said company to stop off the gas from any consumer, except for the purpose of repairs or unavoidable accident, who is willing to pay and who tenders the amount due to the company by said consumer for gas already consumed, according to the established rates, under the penalty of five dollars, to be recovered for the use of the person injured, as debts of like amount are by law recoverable; and the privileges granted by this act shall be exclusive, upon condition that the said company shall continue, without unnecessary or unreasonable interruption, to supply said borough and the inhabitants thereof with good and sufficient light (except in case of accidents) from the gas manufactured by said company at the rates hereinbefore mentioned: *Provided nevertheless*, That said company shall not be required to lay down pipes for conveying gas to any portion of said borough or its vicinity, unless in the opinion of the managers such portion contains a sufficient number of consumers to warrant the expense.

Borrow money.

SECTION 10. That the managers of this company are hereby authorized to borrow, if necessary, any sum or sums of money not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same may execute a mortgage or judgment upon their works and real estate, signed by their president and attested by their secretary, in favor of the person or persons who may have loaned the same; and the said managers shall provide for the payment of the interest, not to exceed eight per cent. per annum, upon any loan made under this section out of the receipts of said company before any dividends shall be paid to the stockholders.



SECTION 11. That it shall and may be lawful at any time after ten years from the introduction of gas by said company, for the borough of Washington to become the owners of said works and the property of said company, by paying therefor the net cost of erecting and maintaining the same, with ten per cent. interest thereon.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 775.

## AN ACT

To incorporate the Neptune Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John C. Dale, S. Leland, J. L. Pomery, Joseph Edwards, David Boyd, junior, William F. Miskey, J. B. Allen, William Mooney, Dendy Sherwood, William Mansfield and S. H. Butler are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Neptune insurance company of Philadelphia, to be located in the city of Philadelphia, with a capital of one hundred thousand dollars, with the right to increase the same to five hundred thousand dollars, divided into shares of one hundred dollars each; which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to establish agencies, and transact its business upon the mutual principle, in connection with its joint stock capital as aforesaid.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.



No. 776.

## AN ACT

To incorporate the Lebanon Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. John Brunner, T. T. Worth, Cyrus Shirk, G. F. Meiley, C. P. Miller, Daniel Bordner, David M. Rank, William Urich, John C. Seltzer, J. B. Meiley, John Harper, Levi Kline, Levi Heilman, Charles B. Forney, Jeremiah Heilman, George Weidman, Cyrus School, of Lebanon county, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance

Style. company, by the name and title of the Lebanon mutual insurance company, to be located in the county of Lebanon, with a capital

Capital. of fifty thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital at any time to two hundred thousand dollars; which said company shall be organized and managed according to the provisions of an act to provide

Subject to. for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to transact its business upon the mutual principle, in connection with its joint stock capital as aforesaid.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 777.

## AN ACT

To incorporate the Nescopeck Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Michael Raber, Jacob Schloyer, junior, William Smith, George Commissioners.  
 Fortner, Samuel Hartzell, N. G. Wistler, Jonas Buss and Hiram  
 Kirkendall are hereby appointed commissioners, who, or a ma-  
 jority of whom, are authorized and empowered, from and after  
 the passage of this act, to establish an insurance company, by  
 the name and title of the Nescopeck mutual fire insurance com- Style.  
 pany, to be located in the county of Luzerne, with the power to  
 establish agencies; which said company shall, when applications  
 for insurance shall be made to the extent of fifty thousand dol- Application for  
 lars, be organized and managed according to an act to provide insurances.  
 for the incorporation of insurance companies, approved the second  
 day of April, one thousand eight hundred and fifty-six, and shall  
 be limited to the risks designated in the first class in the seventh Subject to.  
 section of said act, with the right to transact business upon the  
 mutual principle.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini  
 one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 778.

## AN ACT

To increase the Capital Stock of the Columbia Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Columbia Bank are hereby authorized and empowered to increase the capital of said bank from its present amount of two hundred and fifty thousand dollars, to the sum of four hundred thousand dollars, with the right and privilege of further increasing the same to five hundred thousand dollars for banking purposes, the additional stock to be divided into shares of one hundred dollars each, to be paid for at such time, and in such manner as the board of directors shall determine: *Provided,* That before this act shall go into effect, the said bank shall pay into the treasury of the state a bonus of one per centum on the said increase of capital stock: *And provided further,* That the said additional stock shall be apportioned according to the number of shares owned by them respectively, among such of the present stockholders as shall within sixty days after notice elect to take the same, said notice to be by advertisement, weekly, in at least two newspapers published in

said county, and any excess of stock which shall not be taken by the stockholders, shall be disposed of by auction to the highest and best bidder, in quantities not less than one thousand dollars.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 779.

## SUPPLEMENT

To the act incorporating the Mountain Coal Company.

Name changed.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That the corporate name of the Mountain coal company be and the same is hereby changed to the name, style and title of the Wyoming and Susquehanna Valley railroad company, and shall have all the powers and be subject to all the duties and restrictions prescribed by the tenth to the eighteenth sections, inclusive, of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.
Subject to.	
Damages.	SECTION 2. That whenever parties cannot agree upon the damages claimed either for land or materials taken by said company in the prosecution of their work, said company may tender a bond and proceed in all respects as is provided and specified in the second section of an act, entitled "A supplement to the act incorporating the Pennsylvania coal company," approved the seventh day of March, Anno Domini one thousand eight hundred and forty-nine.
Accounts.	SECTION 3. That said company is hereby required to keep a separate and accurate account of its capital employed in the purchase of coal lands and mining the same, and to make annually in the month of November a statement thereof to the auditor general, verified by the oath of the president or secretary of said company, and shall pay into the state treasury one-half of one per centum on the amount of capital so employed, in the manner provided by the second section of an act to encourage manufacturing operations in this commonwealth, approved April seventh, one thousand eight hundred and forty-nine: <i>Provided,</i> The bonus to be paid by said company shall be limited to the capital and
Reports.	
Bonus.	
Proviso.	

increase of capital employed as aforesaid: *And provided further,* That the fifth section of a supplement to the act incorporating said Mountain coal company, approved April sixth, one thousand eight hundred and fifty-four, shall be construed to apply only to the mining operations of said company.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 780.

## AN ACT

Allowing Bills of Exception and Writs of Error in Criminal Cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the trial of any indictment for murder or voluntary manslaughter, it shall and may be lawful for the defendant or defendants to except to any decision of the court upon any point of evidence or of law, which exception shall be noted by the court, and filed of record as in civil causes, and a writ of error to the supreme court may be taken by the defendant or defendants, after conviction and sentence: *Provided,* That no such writ of error shall be issued until the party applying therefor shall have filed in the office of the prothonotary of the supreme court, an oath or affirmation that the same is not intended for delay, but because he, she or they firmly believe the proceedings proposed to be removed are unjust and illegal; and before such writ shall be allowed in any case of voluntary manslaughter, the defendant or defendants shall enter bail in the court where the case has been tried, if the said court be in session, and if not, before the president judge thereof, in such amount, and with such sureties as the said court or judge shall direct and approve, conditioned for appearance of the defendant or defendants, to abide the judgment and sentence of the court, and any orders of the said court, or the supreme court may make in the said case, or for a new trial, if one be obtained, and for the payment of all costs that may accrue by the affirmance of the judgment.

Exceptions and writ of error allowed.

Proviso.

SECTION 2. That if, during the trial upon any indictment as aforesaid, the court shall be required by the defendant or defendants to give an opinion upon any point submitted and stated in

Written opinions to be filed.

Granting of writs regulated.

writing, it shall be the duty of the court to answer the same fully, and file the point and answer with the records of the case.

SECTION 3. That no such writ shall be allowed unless special application be made therefor, and cause shown, within thirty days after sentence pronounced, and if the supreme court be sitting in banc in any district, the application shall be made to said court, and cause shown there; if the said court be not sitting, application may be made to, and cause shown, before one of the judges of that court, and upon the allowance of such writ, the said court or judge shall fix a time and place for hearing the said case, which time shall not be more than thirty days thereafter, if the said court shall be at that time sitting in banc in any district of the state, the said court or judge, upon the allowance of any such writ, shall make all such proper orders touching notice to the commonwealth and paper books as may be considered necessary.

Oath to be filed.

SECTION 4. That the oath or affirmation provided for by this act shall be filed in the prothonotary's office of the proper district; the writ of error shall issue from the same office; all orders, decrees and judgments in the case shall also be entered of record there, but the application and final hearing may be made and had before the said supreme court while sitting in any other district.

Decrees.

SECTION 5. That upon the affirmance by the supreme court of the judgment in any case, the same shall be enforced pursuant to the spirit and directions of the judgment so affirmed, and the said court may make any further order requisite for the carrying the same into effect; and if the supreme court shall reverse any judgment, they shall remand the record with their opinion, setting forth the causes of reversal, to the proper court for further proceeding.

Costs and fee for district attorney.

SECTION 6. That, together with the other costs in the supreme court, there shall be taxed the sum of ten dollars, to be paid to the district attorney for arguing the case, to be paid by the county in which the case has been tried, in the event of a reversal of the judgment.

Right to writ of error in certain cases.

SECTION 7. That any defendant or defendants, who may have been convicted of any of the offences mentioned in the first section of this act, where the sentence of the court has not been executed, shall have the right to sue out a writ of error in the manner presented by this act, and assign errors to the charge of the court as fully and with the same effect as if exceptions were taken to such charge when delivered to the jury: *Provided*, The charge of the court has been reduced to writing: *And provided further*, That the application for such writs may be made to the supreme court within thirty days after the passage of this act.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The sixth day of November, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.



No. 781.

## A SUPPLEMENT

To an act further to regulate Proceedings in Courts of Justice, and for other purposes, approved the sixth day of May, one thousand eight hundred and forty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of said act shall not be held or construed to apply to any bill or proceedings in equity now pending or which may be hereafter instituted, wherein the commonwealth or any city or county of this commonwealth is libellant, plaintiff or complainant, nor shall any city or county be required to give security on appeal to the supreme court in any proceeding in equity: *Provided however,* That in all such cases it shall be the duty of the court in which the same may be pending, as far as practicable to expedite the hearing and final determination thereof by such rules, order or orders, not inconsistent with the laws of this commonwealth, as justice and equity may require.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The sixth day of November, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK

No. 782.

## AN ACT

Relating to Banks, Saving, Trust and Insurance Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirtieth section of the act, approved the sixteenth of April, one thousand eight hundred and fifty, entitled “An Act regulating banks,” be and the same is hereby extended to all incorporated banking, saving fund, trust and insurance companies, which said companies shall be subject to the provisions of the said section: *Provided,* That nothing herein contained shall au-

thorize any savings bank, trust or other company, as aforesaid, to create any bank note or certificate in the similitude of a bank note: *Provided further*, That this act shall not go into effect until the first day of July next.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The sixth day of November, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

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No. 783.

## A SUPPLEMENT

To an act relating to Damages for Injuries producing Death.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act, approved the twenty-sixth day of April, one thousand eight hundred and fifty-five, entitled “An Act relating to damages for injuries producing death,” shall not be construed retrospectively either as to rights of actions accrued or actions pending, but that the limitation of one year therein named shall be restricted to cases accruing from and after the passage of said act.

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The tenth day of December, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

No. 784.

## A N A C T

Authorizing the incorporation of the Stroudsburg Bank, at Stroudsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Stogdell Stokes, Sydenham Walton, William Overfield, Joseph Fenner, Jeremy Makey, Charles Saylor, Charles D. Brodhead, John De Young, John Boys, Robert R. Dupue, Henry Kintz, Frederick Keiser, John Merwine, Jacob W. Krusge, Jacob Stouffer, Stephen Kestler, Joseph Keller, James H. Stroud, Michael Shoemaker, John Place, John Miller, (Jackson,) Theodore Brodhead, John V. Bush, Synford Marsh, Stroud J. Hollinshead, Joel Berlin, Abraham Levering, Andrew Storm, John Edinger, John Butts, John C. Strunk, Charlton Bennett, Samuel S. Dreher, Thomas Rhoads, Patrick Daily, William Smith, Manassah Miller, Silas L. Drake, Robert Brown and James Bell are hereby appointed, and they, or any twenty-one of them, are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Stroudsburg Bank, to be located at the borough of Stroudsburg, in the county of Monroe, with a capital of one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with power to increase the said shares to four thousand shares, and the said capital stock to two hundred thousand dollars, and to be organized, managed and governed as is provided by the act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, and to be subject to all the provisions and restrictions, and to enjoy all the immunities contained in said act and the supplements thereto: *Provided*, That the said bank shall pay into the state treasury a bonus of one per cent. on its capital stock.

RICHARDSON L. WRIGHT,

*Speaker of the House of Representatives.*

WM. M. PLATT,

*Speaker of the Senate.*

We do certify that the bill, entitled "An Act authorizing the incorporation of the Stroudsburg Bank, at Stroudsburg," was presented to the governor on the seventeenth day of April, one thousand eight hundred and fifty-six, and was not returned within three days after the meeting of the legislature of one thousand eight hundred and fifty-seven; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

J. ZIEGLER,

*Clerk of the House of Representatives.*

GEO. W. HAMERSLY,

*Clerk of the Senate.*

HARRISBURG, January 13, 1857.

No. 785.

## RESOLUTION

Relating to the Purchase of the Colonial Records and Pennsylvania Archives.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the secretary of the commonwealth be and he is hereby directed to purchase for the use of those members and officers of the present legislature, who have not heretofore received the same, full sets of the Colonial Records and Pennsylvania Archives: Provided, That they can be purchased at a price not exceeding one dollar and fifty cents per volume, to be paid for by the state treasurer, upon an order signed by the secretary of the commonwealth.*

RICHARDSON L. WRIGHT,  
*Speaker of the House of Representatives.*

WM. M. PIATT,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

## APPENDIX—1857.

No. 786.

## AN ACT

To incorporate the Meadville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Derickson, John M'Farland, Alfred Huidekoper, G. Church, Commissioners. Wm. A. Hurst, James E. M'Farland, D. A. Finney, George Meriman, Edward Sayer, D. V. Derickson, R. B. Ross, J. P. Brawley, A. Powel, Sylvester Wilden, Wm. Hotchkiss, L. D. Williams, of Crawford county; Samuel Hutchins, John Marvin, Charles Reed and Wilson King, of Erie county; and Thomas J. Brown and George Shraklay, of Mercer county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Style. Meadville railroad company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled Subject to. "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road, and to carry out the true intent and meaning of this act. Capital.

SECTION 3. That said company shall have the right to build and construct a railroad, beginning at or near the borough of Meadville, and thence by such route, with moderate grades or by connection with any other railroad in the county of Erie, as shall in the opinion of the president and directors best conduce to the public interest, to the city of Erie, and also from the said borough of Meadville, to any one or more of the coal fields in the county of Mercer, and shall complete the same within ten years from the passage of this act; and the said company shall have the right to extend their road from any point thereof to connect with any other railroad or railroads running to or from the state, and shall have the right to purchase of the Pittsburg and Erie railroad company their property and franchises within the counties of Crawford and Mercer; and the said Pittsburg and Erie railroad company are hereby authorized to transfer Route. Connections. May purchase Pittsburg and Erie road.



the same or any part thereof, together with their individual and county subscriptions, to the said Meadville railroad company, upon such terms as said companies may mutually agree: *Provided*, That this act shall not be so construed as to authorize the transfer by the Pittsburg and Erie railroad company of any stock, property or franchises belonging to or in anywise appertaining to the main line of the said Pittsburg and Erie railroad.

Proviso.

May borrow money.

SECTION 4. That the president and directors of the said company shall have power to borrow money from time to time, in such sums as they may think proper, and at such rates of interest as they may be able to contract for the construction of said road and the procuring of the rolling stock therefor, and pledge the said road and stock, or any parts thereof, for the payment thereof.

Connections with and facilities to Sunbury and Erie railroad.

SECTION 5. That the said Meadville railroad company shall make the same or equal connections, and afford equal facilities to the Sunbury and Erie railroad for the convenience of trade and travel, as it makes with and affords to any other railroad, conditioned that the last named company shall carry all freight and passengers of the Meadville railroad over all or any portion of their road at the same rates charged by the Meadville railroad company; and the said Meadville railroad company, in like manner, being required to carry freight and passengers passing from the Sunbury and Erie railroad over their road at the same rates charged on the Sunbury and Erie railroad by said company.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 787.

## SUPPLEMENT

To an act, entitled "An Act to incorporate the Philadelphia and Delaware River Railroad Company," passed April fourth, one thousand eight hundred and fifty-four.

May extend road along Fifth and Sixth streets.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia and Delaware River railroad company shall have authority to extend their road southerly from its present terminus at Sixth and Cherry streets, Kensington, along the former street

to Morris street, in Southwark, with a single track; thence easterly along the same to Fifth street; thence northerly along the latter street to the aforesaid Cherry street, with the privilege of occupying Germantown road from its intersection with Fifth street until the said Fifth street shall be duly declared open: *Provided*, That the said road shall be used exclusively for a city passenger railway, by horse locomotion: *Provided further*, That the gauge of said road shall be five feet two inches; and that before the said company shall use and occupy the said streets, the consent of the councils of the city of Philadelphia shall be first given; and the said consent shall be taken and deemed to be given if the said councils shall not, within thirty days after the passage of this act, by ordinances duly passed, signify their disapproval thereof; and said councils may from time to time, by ordinance, establish such regulations in regard to said railway as may be required for the paving, re-paving, grading, culverting and laying of water and gas pipes in and along said streets, and to prevent obstructions thereon.

To carry passengers exclusively.

Consent of city councils to be given.

SECTION 2. That it is hereby provided that the Philadelphia and Delaware River railroad company shall, in constructing their track along the highways referred to, conform to the grades established, or which may be hereafter established by the board of survey of the city of Philadelphia, and be subject to any ordinances passed by the councils of the said city relating thereto: *Provided*, That the streets thus occupied, by the aforesaid railway shall be kept in repair by the said railway company, and no burden trains be carried over said road.

Must conform to grades of streets.

SECTION 3. That the said railroad company shall not connect with any railroad other than for passenger purposes and of the same gauge, and no freight or freight cars shall be permitted to pass over said railway under the penalty of a forfeiture of their charter; and the said company shall annually pay into the treasury of the city of Philadelphia, for the use of said city, whenever the dividends shall exceed six per centum per annum on the capital stock, the sum of six per centum on the said dividends thus declared; and the said company, before commencing to run their cars upon the said streets, shall purchase, at the option of the owners, the stock of horses, omnibusses, sleighs and harness owned and used upon the said streets at the time of the completion of the said road, at a price to be assessed in the following manner, to wit: The said owners shall choose one disinterested person, and the said company shall choose a second person, and the two thus chosen shall choose a third, who together shall appraise such stocks, and the value thus arrived at shall be binding and final: *Provided*, That whenever any damages may be sustained by reason of this company taking possession of lands or other property other than above described, except so far as the use of the before named streets necessary to the full and perfect enjoyment of the purposes by this act designed, the said damages shall be assessed and paid in the manner and according to the provisions of the eleventh section of the act of nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies:" *Provided further*, That so much of the act to which this is a supplement as authorizes the construction of a railroad, or the use of any

Must not connect with any other than passenger railways.

Purchase of omnibuses, &c.

Damages.

Repeal of part of former act. railroad out of the limits of the city of Philadelphia, be and the same is hereby repealed; and any road built or to be built by the said company shall be confined to the limits of the said city; but the authority vested in the said company to borrow money on the terms mentioned in the said act, shall be extended to the road herein authorized, in the same manner as if the railroad herein authorized had been authorized to have been built by the said act.

Limitation. SECTION 4. That the right to use and occupy said streets for the purposes aforesaid shall continue for twenty years from the passage of this act, and no longer, unless renewed or extended by the legislature.

Rail. SECTION 5. That the rail to be used on said road shall be that now adopted by the company, (part of which is now upon said road,) and no change shall be made in the shape thereof, unless by consent of councils.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The ninth day of June, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

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No. 788.

## AN ACT

To incorporate the Bank of Beaver County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John L. Newbold, Edward Hoops, Archibald Robertson, James B. McCallen, Silas Merrick, Thos. Cunningham, William Henry, Matthew H. Robertson, Thomas J. Power, Harrison Mendenhall, Joseph H. Dickson, Matthew T. Kennedy, William L. Dickinson, William N. Sterling, W. Kennedy, Walter Chester, S. H. Darrah, Brown B. Chamberlin, Benjamin R. Bradford and Edward Stowe, are hereby appointed commissioners, and they or a majority of them, after the passage of this act, may carry into effect the establishment of a bank, to be called the Bank of Beaver County, and to be located on the falls of the Beaver at New Brighton, Beaver county, with a capital of one hundred and fifty thousand dollars, to be divided into three thousand shares, at fifty dollars each, to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and

fifty, and to be subject to all the restrictions and provisions, together with the immunities, contained in said act: *Provided*, That the said corporation shall pay into the state treasury a bonus of one per centum upon its capital stock within one year after the passage of this act, and the like sum upon any increase thereof within one year after such increase.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The fifty day of May, Anno Domini one thousand eight hundred and fifty-seven. JAS. POLLOCK.

No. 789.

## AN ACT

To incorporate the Altoona Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William B. Foster, junior, H. J. Lombaert and Enoch Lewis be Commissioners. and they are hereby appointed commissioners, and they or a majority of them are hereby authorized to carry into effect the establishment of a gas company, to be located in the borough of Style. Altoona, in the county of Blair, and state of Pennsylvania, with a capital stock of fifteen thousand dollars, to be divided into shares of fifty dollars each, to be organized, managed and gov- Subject to. erned as provided by the act regulating gas and water companies, approved the eleventh day of March, one thousand eight hundred and fifty-seven, and subject to all the restrictions and provisions, together with the immunities contained in said act.

SECTION 2. That it shall be lawful for the borough of Altoona Subscriptions. in its corporate capacity, or for any other corporation in its corporate capacity, to subscribe for any number of shares of stock of the said company; and to enable the said borough to subscribe stock as aforesaid, it is hereby authorized to borrow the amount so subscribed, and to pledge their property and franchises for the payment of the same.

J. LAWRENCE GETZ,

*Speaker of the House of Representatives.*

DAVID TAGGART,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 790.

## AN ACT

To incorporate the Mexican Pacific Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Corporators. George F. Allen, William R. Hanson, Samuel J. Beals, Matthew Newkirk, J. Nevin Pumroy, William Gaul, Samuel A. Lewis, James J. Duncan, Theodore Cuyler, Isaac Leech, junior, John Tucker, Strickland Kneass, Thomas C. Garret, George L. Ward, James Eddy, E. L. Plumb and Archibald Robertson, and their associates, be and they are hereby created a body corporate and politic, by the name, style and title of the Mexican Pacific company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real, personal and mixed, and of holding and improving lands in Mexico or other portions of Spanish America, and to obtain therefrom any and all minerals and other valuable substances, whether by mining or working, leasing or disposing of privileges to work or mine such land, or any part or parts thereof, to construct, basins, wharves and docks, to improve the navigation of lakes and rivers, to construct and open for use, and to furnish and equip any highways, roads or railroads in Mexico or Spanish America, aforesaid; and shall have and possess power to sell, let, lease and colonize any such lands, and to erect and build houses, manufactories and mills thereon, and to use, let, lease or work the same, and to hold and possess the means of communicating therewith, and to dispose of the products of all such lands, mines, houses, mills, manufactories and privileges as they may deem proper, and to purchase, build, and equip vessels of any description to convey their said products to market, and to employ them in other ways to advance the interests of the company.
- Style.
- Privileges and powers.
- By-laws. SECTION 2. That the said company shall have power to make such by-laws as they may deem proper to enable them to carry out the objects of the corporation, and the same to alter, amend, add to or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock representing the value of their property, in such form and subject to such regulations as they may from time to time by their by-laws prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.
- Directors. SECTION 3. That the corporators named in this act shall elect persons to serve as directors of the company, a majority of whom shall constitute a quorum for the transaction of business, and



shall hold their offices until their successors shall have been elected in accordance with the by-laws.

SECTION 4. That it shall be lawful for said company to exercise the privileges and powers conferred upon it by this act in Mexico, Central and South America, and in the islands of the Atlantic and Pacific oceans, to establish the necessary offices for the business of the company wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient, at which place it shall be lawful to hold all meetings for transaction of the business of the company.

SECTION 5. That the provisions of this act shall continue in force twenty years and no longer.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## CERTIFICATE.

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SECRETARY'S OFFICE,

HARRISBURG, *June 16, 1857.*

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the 22d day of May, 1857; also an APPENDIX, containing laws passed at the sessions of 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856 and 1857, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1856.

A. G. CURTIN,

*Secretary of the Commonwealth.*

# PROPOSED

## AMENDMENTS TO THE CONSTITUTION.

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### RESOLUTION

Proposing Amendments to the Constitution of the Commonwealth.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:* That the following amendments are proposed to the constitution of the commonwealth, in accordance with the provisions of the tenth article thereof.

#### FIRST AMENDMENT.

There shall be an additional article to said constitution to be designated as article eleven, as follows:—

#### ARTICLE XI.

#### OF PUBLIC DEBTS.

SECTION 1. The state may contract debts, to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts direct and contingent, whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars, and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

For what the state may contract debts.

Amount of such debts limited.

How the money raised must be appropriated.

SECTION 2. In addition to the above limited power the state may contract debts to repel invasion, suppress insurrection, defend the state in war, or to redeem the present outstanding indebtedness of the state; but the money arising from the contracting of such debts, shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

War debts may be contracted.

Appropriation of the money raised

SECTION 3. Except the debts above specified, in sections one and two of this article, no debt whatever shall be created by, or on behalf of the state.

Other debts prohibited.

A sinking fund to be created.

Of what it shall consist.

SECTION 4. To provide for the payment of the present debt, and any additional debt contracted as aforesaid, the legislature shall, at its first session, after the adoption of this amendment, create a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; which sinking fund shall consist of the net annual income of the public works, from time to time owned by the state, or the proceeds of the sale of the same, or any part thereof, and of the income or proceeds of sale of stocks owned by the state, together with other funds, or resources, that may be designated by law. The said sinking fund may be increased, from time to time, by assigning to it any part of the taxes, or other revenues of the state, not required for the ordinary and current expenses of government, and unless in case of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five millions of dollars.

The credit of the commonwealth not to be loaned to individuals or companies.

SECTION 5. The credit of the commonwealth shall not in any manner, or event, be pledged, or loaned to, any individual, company, corporation, or association; nor shall the commonwealth hereafter become a joint owner, or stockholder, in any company, association, or corporation.

The commonwealth prohibited from assuming debts.

SECTION 6. The commonwealth shall not assume the debt, or any part thereof, of any county, city, borough, or township; or of any corporation, or association; unless such debt shall have been contracted to enable the state to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the state in the discharge of any portion of its present indebtedness.

Counties, &c., prohibited from being stockholders, &c., in corporations.

SECTION 7. The legislature shall not authorize any county, city, borough, township, or incorporated district, by virtue of a vote of its citizens, or otherwise, to become a stockholder in any company, association, or corporation; or to obtain money for, or loan its credit to, any corporation, association, institution, or party.

#### SECOND AMENDMENT.

There shall be an additional article to said constitution, to be designated as article XII, as follows:

#### ARTICLE XII.

#### OF NEW COUNTIES.

New counties.

No county shall be divided by a line cutting off over one-tenth of its population, (either to form a new county or otherwise,) without the express assent of such county, by a vote of the electors thereof; nor shall any new county be established, containing less than four hundred square miles.

#### THIRD AMENDMENT.

Amendment to article I, of the constitution.

From section two of the first article of the constitution, strike out the words, "*of the city of Philadelphia, and of each county respectively;*" from section five, same article, strike out the

words, "*of Philadelphia and of the several counties;*" from section seven, same article, strike out the words, "*neither the city of Philadelphia nor any,*" and insert in lieu thereof the words, "*and no;*" and strike out "*section four, same article,*" and in lieu thereof insert the following:

"SECTION 4. In the year one thousand eight hundred and sixty-four, and in every seventh year thereafter, representatives to the number of one hundred, shall be apportioned and distributed equally, throughout the state, by districts, in proportion to the number of taxable inhabitants in the several parts thereof; except that any county containing at least three thousand five hundred taxables, may be allowed a separate representation; but no more than three counties shall be joined, and no county shall be divided, in the formation of a district. Any city containing a sufficient number of taxables to entitle it to at least two representatives, shall have a separate representation assigned it, and shall be divided into convenient districts of contiguous territory, of equal taxable population as near as may be, each of which districts shall elect one representative."

Apportionment of representatives.

At the end of section seven, same article, insert these words, "*the city of Philadelphia shall be divided into single senatorial districts, of contiguous territory as nearly equal in taxable population as possible; but no ward shall be divided in the formation thereof.*"

Senatorial districts in Philadelphia.

The legislature, at its first session, after the adoption of this amendment, shall divide the city of Philadelphia into senatorial and representative districts, in the manner above provided; such districts to remain unchanged until the apportionment in the year one thousand eight hundred and sixty-four.

Apportionment for Philadelphia.

#### FOURTH AMENDMENT.

There shall be an additional section to the first article of said constitution, which shall be numbered and read as follows:

SECTION 26. The legislature shall have the power to alter, revoke, or annul, any charter of incorporation hereafter conferred by, or under, any special, or general law, whenever in their opinion it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators.

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